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The University of Durham
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Government and International Affairs Department
Institute for Middle Eastern and Islamic Studies

A Critical Edition of
Al-Lu'lu' al-Manthūr fī Naṣīḥat Wulāʾt al-Umūr

By

Nūr-al-Dīn al-Samhūdī (d.911H)

By

Bader Adrees

A thesis submitted for the degree of doctor of philosophy
in Islamic Studies

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(2007)



DECLARATION

I [✓] _____

Hereby declare:

- a) that this dissertation is my own original work and that all source material used is acknowledged herein;
- b) that it has been prepared specifically for a first degree of the University of Durham; and
- c) that it does not contain any material previously submitted to the Examiners of this or any other University.

Signed [✓]

Date [✓]

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

"فلله الحمد رب السموات ورب الأرض رب العالمين، وله الكبرياء في السموات والأرض، وهو العزيز الحكيم" (الجاثية، 36-37)

"Then Praise be to Allah, Lord of the heavens and Lord of the earth, Lord and Cherisher of all the worlds! To Him be Glory throughout the heavens and the earth, and He is Exalted in Power, Full of Wisdom!"

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First and foremost, praise be to Allah, the Almighty God, who has given me the force and power to proceed and finish this dissertation, and to Whom is all our gratitude and indebtedness.

The completion of this project is the result of entwined efforts and assistance not fully attributable to the researcher alone in his own right, but made possible by encouragement and assistance of many people.

It is my supervisor, Professor Colin Turner, to whom I feel grateful and indebted in many respects. His ongoing assistance, enlightening feedback, and patience have been quite supportive and helpful for me during the different stages of this project from its very inception.

There are many other individuals who extended their help generously to me in my doctoral studies as well as giving me valuable guidance and counseling. They are so many, and their names are more sacrosanct that they are inscribed in my heart, and if this acknowledgment misses their names, they are in my heart and mind.

Finally, my sincere love and appreciation go to my wife and beloved one, Aroob Al-Qattan, my children, and my family, especially my parents who were very encouraging for me during my doctoral studies.

Thank you all of you who helped me!

TRANSLITERATION TABLE

- This table is used for the transliteration of names of people, places etc.. which are not part of the English Language. Words of Arabic origin which exist in the English Language and are featured in the English dictionary, are not transliterated. Instead, their English spelling is used.eg.Gaza.

CONSONANTS	CONSONANTS	VOWELS
		Short
ء ' a	ظ z	_____
ب b i	ع ' _____	
ت t u	غ gh _____	
ث th	ف f	Long
ج j	ق q	ā ل
ح ḥ	ك k	ī ي
خ kh	ل l	ū و
د d	م m	Diphthongs
ذ dh	ن n	aw و
ر r	ه h	ay ي
ز z	و w	
س s	ي y	
ش sh		
ص ṣ		
ض ḍ		

Abstract

This thesis is the outcome of an investigation to authenticate and verify a work titled “*al-lu’lu’ al-Manthur fī Naṣīḥat Wulat al-Umur*” (*Pearls of Advice to Rulers*) written by Nur-al-Dīn al-Samhudī, also known as the *Faqīh* (jurist) and historian of *Madina*. He lived in the 9th Hijri century during the closing stages of the Mamluk era (844-911 AH).

In his work, al-Samhudī presented a series of reminders and admonitions focused on governance, and woven in an attractive admonitory style. At the same time, he mentioned a number of problems that were prevalent in his time, analysing these and presenting the *Sharī’ah* perspective on them from his own viewpoint.

The work may be classified in the genre or body of knowledge dedicated to the admonition of kings and rulers, which is part of *al-Siyasah al-Shar’iyyah* (Islamic politics). The work may also be considered an example and model of how to tender *naṣīḥah* (advice) to kings and rulers, whereby it contained meanings and topics of interest to the ruler in his time, as well as other meanings of use to every ruler and king at any time.

This research involved a substantial academic examination of the science of Islamic politics which includes through providing a critical edition to the manuscript in question. It also attempts to analyse the content of the manuscript and provides a detailed introduction to manuscript and its author. In doing so, the research also discussed in detail the Mamluk period, which had significant impact on the content of the manuscript. In sum, the present research provides a critical evaluation of a valued manuscript.

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INTRODUCTION

This research aims to provide a critical edition to a historical manuscript titled as *by* from the 9th century of Hijra. This is one of that manuscripts related to the legislative political science in Muslim tradition, which aimed at preaching and advising the rulers or kings. Therefore, it includes many preaches and counsels to kings and rulers. It also includes a precise description of the age in which the author lived, how he treated issues of his age and hence the content reflects his perception of political and administrative issues of the time, which provides rationale for him to undertaking the idea of producing such a manuscript as a guidance.

This study, hence, aims at providing a critical edition to such an important manuscript, which has implication for the governance issues even in today's Muslim world. By doing so, this study investigates and verifies this manuscript and conducts a critical study on its content and subject science.

This research, therefore, discusses the importance of the manuscript and importance of its content by contextualising in its historical context with a critical perspective on the edition but also on the content of the material.

In fulfilling such an aim, the study utilises content and textual analyses with the use of interpretative methods. By doing so, further meaning is given to the subject of the study. Also, content and textual analyses are considered to be the most appropriate methods to be utilised such studies as this, which directly deals with the text and contents of the text.

0.1. *al-Siyasah al-Shar'iyyah*

The science of *al-Siyasah al-Shar'iyyah* includes all matters relating to the political affairs of State, and has two strands:

The first: has a *Fiqh* (jurisprudence) character. and deals with the *Sharī'ah* issues peculiar to the *Khilafah* (Caliphate) and governance, the *Khalīfah* (Caliph) and its conditions, and the rights and responsibilities relating to the ruler, i.e. the *Khalīfah* and those under his rule, the people.

The second: retains an admonitory character, and addresses the issue of giving *naṣīḥah* or tendering advice to the ruler, and the style and method of reminding and guiding him, all the while maintaining a gentle, subtle approach. This is termed the science of tendering advice to kings and rulers. There have been many published works in this sphere taking the form of advice directed to a particular ruler, or to all Muslim rulers, generally.

The work that we address, comprises advice offered indirectly to the ruler during those times in which the author lived. The author did not mention that he intended a particular ruler by name, but he treated some of the thorny issues that were prevalent in his time, and called upon the ruler to be aware of these, and seek to change them. This he did from the perspective of commanding good and prohibiting evil packaged in the form of *naṣīḥah*. In addition, the work contained general admonition and advice that is useful to every ruler whatever the time.

0.2. The Importance of this Study

This study derives its importance from the following points:

1. It focused on the most important person in the State—the ruler—since it gives us an example and manner of admonishing and reminding the ruler. Hence, if the ruler is good then it follows that all matters of State will likewise be in good shape.
2. The study brings out another aspect of the author's admonitory personality, which had not been as clearly defined in his other works. In past works, he came to be

recognised in the areas of *Fiqh*, *Hadīth*, and history, whereby he came to be known as *Faqīh* (jurist) and historian of *al-Medina*. Therefore this study highlights another aspect of his personality.

3. Revealing an old Islamic heritage in the area of admonishing kings and rulers, and so enriching the historical library through the study and description of the times in which the author lived.
4. The author has several writings, some of which have been authenticated and verified, others which have been lost, and yet others waiting to be authenticated and verified. Therefore, I have undertaken the efforts of authenticating and verifying this work in recognition of the author's status and contributing to the wider dissemination of his knowledge.
5. This work is considered a reflection of a historic era in time, and in undertaking authentication and verification, we are able to gauge the features of those times, including the prominent political, economic, social, religious, and cultural events.
6. The work is rich in words, terminology, effects, and instances of political admonition, which makes it an excellent vehicle to enrich this area; it could be adopted as a reference by researchers and students of the “mirror for princes” genre.

0.3 Framework of the Thesis

The thesis is divided into two parts:

Part one: addresses the study and critical analysis of the manuscript, and comprises three chapters:

Chapter 1: presents a biography of the author, and a study of his life regarding:

Lineage, birth and upbringing, Al-Samhūdi's standing among scholars, his teachers and students, His publications, his interest in the affairs of his time, his interaction with society and his relationship with sultans and rulers.

Chapter 2: It presents a description of the historical period in which Al- Samhudi lived-the final phases of the Mamluk era-providing a historical narrative of that time

from the perspective of the historical roots of the rise of the Mamluk State, the Most important features of the Bahrī and Burjī Mamluk State in Egypt and the salient features of life within the Mamluk State from the political, security, economic, social, cultural and scientific perspectives. It also includes the groupings of Ahl al-Dhimmah (non-Muslims) at that time and historical analysis of the factors leading to the downfall of the Mamluk State.

Chapter 3: It is dedicated to the study, criticism and discussion of the manuscript, and all matters relating to it, like the genre /science under which the manuscript is classified, the sources on which he depended in writing the manuscript, Al- Samhudi's methodology in authoring the manuscript, highlighting the scientific value of the manuscript, the most important and distinctive strengths and weaknesses of the manuscript.

Chapter 4: It study's the three elements contained within this type of science, which are tendering advice to kings, rulers, and scholars, (i.e. the most important features of advice given to the ruler. It also includes the most important features of the Muslim ruler, the most important features and characteristics of the scholar who tenders such advice) and the most important topics and opinions which the author tackles in the manuscript. These are the elevated status the intellect enjoys in Islam, the prohibition on employing Ahl al-Dhimmah in position of Islamic State, Hisbah examples of the Muhtasib (person tasked to do Hisbah) in his time and finally, ministers and their most important attributes.

0.4. Attributing the Manuscript to the Author, and Methodology of Research:

0.4.1. Attributing the manuscript to the author

Part Two: Three versions of the manuscript were adopted in authenticating, verifying and validating this book. First: The Chester-Beatty copy; this manuscript consists of 87 pages, two sided, large-size pages and was transcribed by Aḥmad ibn (al-Ḥājj) Muḥammad abū al-Khayr al- Marḥūmī¹ in 1156H. This copy is distinguished by its clear and beautiful Naskh calligraphy, with organized pages and margins, and attention to signaling instances of contradiction (which will be shown in the proper places in the manuscript)-these occur in several places which grants it importance from the perspective of accuracy and fidelity. This is the reason why this copy was chosen as the reference. Second: Copy of Dār al-Kutub al-Masrīyah, Ijtimā'-Taymūr, which consists of 84 pages reproduced in a clear Naskh style, and transcribed by 'Alī ibn Muhammad al- Mūfī al- Shāfi'ī, dated: Monday, 15 Jumāda al- ūlā 1164 AH. Third: The Sana'a copy, considered the oldest of the three, with three seals of

¹ The world is unclear in the original, and this is what we could make of it.

ownership: the 1st of Wahīd-al-Dīn ʿAbdu ibn Jawhar, dated 1139 AH, the 2nd of Alī ibn ʿAbd Allāh, dated 1184 AH, and the 3rd undated, of Abū Muḥammad al-Siddīqī al-Wārithī al-Bakrī al-Mālikī. This is of great importance, but we did not adopt it as the reference copy due to omissions in quite a few parts, in contrast to the other two copies. It is reproduced in a good Naskh script, but without mention of the scribe's name, unlike the other two.

0.4.2. Methodology of Treating the Work

- The three works were copied.
- The Chester-Beatty work was posted as a reference for the reasons cited earlier, and was referred to by the symbol (reference).
- We compared the copy of Dar al-Kutub al-Maṣrīyah with this reference, and highlighted the differences using the symbol (d).
- We compared the Sana'a copy of with the Chester-Beatty reference, and highlighted the differences using the symbol (s).
- Explanation of the brackets used in editing the work: in comparing the three works we utilised two types of brackets. The first: [], indicates an addition to the reference, or a correction to what is in the original more fitting to the context. The second: (), indicating differences among the works (s,d), or other notes.
- We referenced the Qur'ānic verses, placing these between brackets of the form { }.
- We referenced the prophetic *Ḥadīths* and ancient narrated traditions. I referenced each *Ḥadīth* and mentioned the scholars' ruling regarding its authenticity or weakness, except those mentioned in *al-Bukharī* and *Muslim*, where I referred the *Ḥadīth* to where it is mentioned by its number, name of the book and chapter only.

In relation to ancient narrated traditions, I referenced these, and through personal effort strove to judge them in terms of authenticity, to the best of my ability.

- Including biographies of those notable persons mentioned in the work, while mentioning the source, and page, in short, in the interests of brevity.
- Providing a geographic description of locations, places, and countries, while mentioning the meaning of obscure words from the language point of view.
- Spelling note: the author in the original did not transcribe the Arabic letter (*Ḥamzah*; ') at the end of words. For example, the word *hamrā'* is transcribed as *ḥamrā* without the *hamzah*. Part of the work undertaken was to instate the letter (*Ḥamzah*; ') throughout the work. This omission extended to within words, e.g. (*madā'in*) was written as (*madāyin*); these were also rectified.
- I built up and included indexes for the following:
 - Index of Qur'ānic verses.
 - Index of *Ḥadīths* and narrated traditions.
 - Index of eminent personalities.
 - Index of poetry.
 - Bibliography.
 - Index of topics; Table of contents.

CHAPTER ONE

Al-Samhūdī's Biography

1.1. His Lineage

His name was Nūr al-Dīn Abū al-Ḥasan ‘Alī ibn al-Qādī ‘Afīf al-Dīn ‘Abd Allāh ibn ‘Aḥmad² ‘Abū al-Ḥasan ‘Alī ibn ‘Abū Rūḥ ‘Īsā ibn Jalāl al-Dīn abū al-‘Alayā’ ibn abū al-Faḍl Ja‘far ibn ‘Alī ibn Ābū Ṭāhir ibn al-Ḥasan ibn Muḥammad ibn Aḥmad ibn Muḥammad ibn al-Ḥasan ibn Muḥammad ibn ‘Ishāq ibn Muḥammad ibn Sulaymān ibn Dāwūd ibn al-Ḥasan al-Muthannā³ ibn al-Ḥasan al-Ākbar Ibn ‘Alī ibn Ābū Ṭālib⁴. He was known as al-Sharīf on account of his lineage linking up to the noble prophetic family⁵. He was also known as al-Samhūdī on account of his birth place from Samhūd or Samhūt⁶

2 His lineage was briefly featured in:

Al-Sakhāwī, Al-Ḍaw’ al-Lāmi‘, 5/245., al-Shawkānī, Al-Badr al-Ṭālī‘, 1/480., al-Baghdādī, Hadiyyat al-‘Ārifīn, 1/740., Kaḥḥāla, Mu‘jam al-Mu‘allifīn, 2/463., al-Ziriklī, al-‘A‘lām, 4/207., al-Muḥibbī, Khulāṣat al-‘Athar fī ‘A‘yān al-Qarn al-Ḥādī ‘Ashar, 1/42., Ḥājī Khalīfah, Kashf al-Zunūn, 1/614.

3 Ibn al-‘Imād, Shadharāt al-Dhahab, 10/73.

4 Al-‘Aydarūs, Al-Nūr al-Sāfir, p.57., Al-Sakhāwī, Al-Tuḥfah al-Laṭīfah, 2/227-235.

5 Some biographers cast doubts about al-Samhūdī's lineage linking up to ‘Alī ibn Ābū Ṭālib and therefore to the prophetic family eg. Al-‘Adfawī, al-Ṭālī‘ al-Sa‘īd al-Jāmi‘ li asmā’ Nujabā’ al-Ṣa‘īd. For more details see: Al-Swīlim, I. Al-Samhūdī: Manhajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah, p.85.

6 In his book Mu‘jam al-Buldān (3/255), al-Ḥamawī writes: ‘ Samhūt is a big village situated on the western bank of the river Nile in al-Ṣa‘īd region, Egypt, below Farshūt. It was known for its numerous cane presses, where sugar cane was pressed to extract juice from it.

1.2. His Birth and Upbringing

Al-Samhūdī was born in the month of Ṣafar, 844 AH. / July 1440 CE in the village of Samhūd in Egypt⁷. He grew up in a family which comprised a number of poets and notable scholars of *Fiqh*, Islamic jurisprudence⁸. Key amongst them was his grandfather ʿAḥmad ibn ʿAlī who was well versed in *Fiqh*, which enabled him to access the office of *Qāḍī*, judge in Samhūd where he became renowned while in this office for the justice and integrity of his judgements⁹. Al-Samhūdī's father, in turn followed his own father's footsteps in his search for knowledge. He visited Cairo on several occasions and eventually resided there and kept the company of a number of scholars, with whom he studied *Fiqh*¹⁰. Next, he went to Mecca where he resided and studied with its scholars, then he returned to al-Ṣaʿīd (Upper Egypt) once again where he initially assumed the office of Judge of the Saʿīd region. Subsequently, he relinquished the office of Judge of the entire Ṣaʿīd region and settled for the position of Judge of Ṣamhūd. His excuse was that he feared falling in error and having to answer in front of Allah for being at fault with the entire population of al-Ṣaʿīd area.¹¹ Eventually, he gave up the practice of *al-Qaḍā* (administration of justice) altogether and devoted himself to knowledge, teaching and *Iftāʾ* (deliverance of formal legal opinions). The latter function, *Iftāʾ*, was taken over, after him by his

7 Al-Sakhāwī, *Al-Ḍawʾ al-Lāmiʾ*, 5/245.

8 Al-ʿAdfawī, *al-Ṭālaʾ al-Saʿīd*, pp.254-646, also pp.149, 313-317., Ibn Ḥajar, *Al-Durr al-Kāmin*, 2/472.

9 Al-Sakhāwī, *Al-Ḍawʾ al-Lāmiʾ*, 1/280-281.

10 Ibid, 3/6.

11 Ibid, 5/6.

son 'Abd' Raḥmān, the author's elder brother.¹² Al-Samhūdī grew up under the aegis of his father and memorised the Holy Qur'ān at his hands. He accompanied him in his journeys to seek knowledge. In 858 /1454, he travelled with him to Cairo.¹³ There, he met scholars, kept their company and studied with them. He continued with his father and studied many books with him.¹⁴ Thereafter, he started travelling on his own and after a number of visits to Cairo, he decided to settle there for a period of time interrupted only by occasional visits to his parents. He then went to Mecca for *Hajj* (pilgrimage) with his mother in the month of *Dhu al-Qi'dah* 870/June 1466. However, he reached Mecca after the *Hajj* season, so he decided to wait in Mecca for the following season and resided in the *Haram* (Grand Mosque in Mecca) for a whole year. During this period, he studied under a number of scholars who will be talked about in subsequent sections of this thesis. He also met al-Sakhāwī¹⁵ and studied with him a number of books, benefiting a great deal from his knowledge. He performed

12 Al-Sakhāwī drew a comparison between al-Samhūdī and his elder brother saying: "This one is older but the other one is better". See Al-Ḍaw' al-Lāmi', 4/87. About him, al-Samhūdī said; he is the al-Sayyid, al-Sharīf al-Imām 'Abd al-Raḥmān. See also, al-Samhūdī, Al-Wafā bima yajib li Ḥaḍrat al-Muṣṭafā, p.118.

13 Al-Sakhāwī, Al-Ḍaw' al-Lāmi', 5/245. Al-'Aydarūs in Al-Nūr al-Sāfir p. 58 also mentioned that he went to Cairo in 853/1419.

14 These books include: Al-Minhāj and its Sharḥ (Commentry) by al-Muḥallā. Sharḥ al-Bahjah, Jam'al-Jawāmi', the majority of Alfīyyat ibn Mālik. He also heard from him the majority of al-Bukhārī and the Mukhtaṣar (short version) Muslim by al-Mundhirī. See Al-Sakhāwī, Al-Ḍaw' al-Lāmi', 5/245.

15 Muḥammad ibn 'Abd Al-Raḥmān ibn Muḥammad Shams al- Dīn al-Sakhāwī, great historian and knowledgeable in Ḥadīth, Tafsīr and Literature. Originally from Sakhā from Upper Egypt. He was born in 831/1427 and died in 902/1496 in Medina. He travelled a lot and authored approximately 200 books, key amongst which was al-Ḍaw' al-Lāmi'. See his biography in al- Ziriklī, al-'A'lām, 6/194.

Hajj with him the following year (871/1467), then moved on to al-Medīna al-Munawwarah. There he settled down in 873/1469, after he had accompanied his mother back to Cairo then to Samhūd. In al-Medina, the author mixed with a number of scholars. He benefited from them and his personality matured considerably in the process, consolidating his knowledge and refining his academic abilities.¹⁶

In Medina, Al-Samhūdī married the sister of Muḥammad ibn ‘Umar ibn al-Muḥibb from the family of al-Zarandī, then they separated and he married another lady, the sister of Shaykh Muḥammad al-Marāghī, who was also the daughter of his teacher ‘Abū al-Faraj. Again, he divorced her after a short period after the death of her brother. These two marriages in al-Medina were preceded by another marriage, which was his first marriage in Cairo from the daughter of ‘Aḥmad al-Miṣrī al-Ṣabbār, the granddaughter of his teacher al-Manāwī. This lady, he may have divorced before his departure to Medina because she was not with him when he went to Medina.¹⁷ Al-Sakhāwī, in his book *al-Tuḥfah al-Laṭīfah* had this to say by way of explanation of the author's multiple marriages:

It appears to us from al-Samhūdī's multiple marriages that he was after having children, as in his first marriage it was Allah's Decree that his wife bore no children for him. He must have felt uneasy about it and kept getting married without declaring his first marriage. Again he had no children from his subsequent marriages and after divorcing his last wife, he contented himself with marrying '*imā*' (slave girls), as he must have been sterile, and Allah

16 Al-Sakhāwī, *al-Tuḥfah al-Laṭīfah*, 3/223.

17 Ibid. 3/228.

knows best.¹⁸

From Medina, al-Samhūdī went back to Egypt to visit his family and his mother who died shortly after he had seen her. After his mother's death, his travels took him to al-Masjid al-Aqṣā in Jerusalem, back to Cairo, then to Medina, then to Mecca, finally back to Medina where he settled down on a permanent basis, living in the house of the Companion Tamīm al-Dārī, first as a tenant, then as an owner. After buying this house, he refurbished it and took it as his residence and abode for the rest of his life, then he entailed it to be a *waqf* (endowment) after his death.¹⁹ All those who wrote al-Samhūdī's biography described him as ' Medina's historian, notable scholar, *faqīh* (*Fiqh* scholar) and teacher'.²⁰ This will be looked at in more detail in the following section.

1.3. The Status of Al-Samhūdī among other Scholars

Al-Samhūdī commanded an eminent status among other scholars on account of his love for knowledge and for disseminating it; on account of the phenomenal scope of his readings and research, and on account of his excellent relations with other scholars. Al-Sakhāwī said about him:

Al-Samhūdī is the *Shaykh* of the people of Medina, on account of his

18 Ibid. 3/232.

19 Al-Samhūdī, *Wafā' al-Wafā*, 2/696.

20 Al-Shādhilī, " 'Athārah min al-Samhūdī", Al-Manhal Magazine, Issue 5, 1965, p.365. See also, Randī, H. *Mawārid al-Samhūdī wa Manhajuh al-Tārikhī fī Kitābih Wafā' al-Wafā bi 'Akhbār al-Muṣṭafā*, M.A. Dissertation, Umm al-Qurā University, 1999, p.115.

knowledge, lineage and worship.²¹

He also said about him:

He is a pride for the people of Medina, an eminent scholar, versatile and masterful in *Fiqh*, devoted to worship, dedicated to reading, research and writing and has numerous books. He is strong in discussing and debating and has a flowing expression and a strong personality.²²

Another biographer wrote about him:

He was the *Shāfi'ī* dweller of Medina, its scholar, *faqīh*, teacher and historian.²³

The above quotation establishes that Al-Samhūdī belonged to the *Shāfi'ī* school of Islamic Jurisprudence. In fact, the *Shāfi'ī* school of thought had already spread in Egypt and the majority of scholars who taught then were from that school of thought. Al-Samhūdī was their student, was influenced by them and became an eminent *shaykh* of the *Shāfi'ī* school of jurisprudence in Egypt.²⁴

According to another biographer, Al-Samhūdī was:

21 Al-Sakhāwī, al-Tuḥfah al-Latīfah, 3/235.

22 Ibid. 2/284.

23 Al-'Aydārūs, al-Nūr al-Sāfir, p.6.

24 A-Shawkānī, al-Nūr al-Ṭālī', 1/471.

A truthful speaker, a copious transmitter, expert in *Hadīth*, knowledgeable in biographies and in the history of battles and a trustworthy reporter.²⁵

Yet another biographer described him as:

The exemplar *Imām* (religious leader) and the distinguished *Hujjah* (ultimate authority) in the two fundamental subjects: History and *Fiqh*.²⁶

In addition to this eminent status which Al-Samhūdī enjoyed and the generous praise showered upon him, he had an excellent relationship with his peers as he used to research and discuss with them some general issues, like the issue of holding funeral prayers in the Prophetic Mosque in Medina.²⁷ Despite these good relations with his contemporaries, he had to contend, like many other expatriates with a number of irritations caused mainly by envy on the part of some [local] scholars who aspired to his status. Al-Sakhāwī confirmed this when he said:

Their relations with Al-Samhūdī was one of academic envy and competition due to his distinguished status. However, overall, Al-Samhūdī's status among his contemporaries remained intact.²⁸

The first of these irritations came from the brother of the Judge of Medina, al-Qādī al-

25 Hājī Khalīfah, *Kashf al-Zunūn*, 2/57.

26 More about the relationship between al-Samhūdī and his peers and the context in which he lived in section 1.6 below.

27 Al-Samhūdī, *Wafā' al-Wafā*, 2/535.

28 Al-Sakhāwī, *al-Tuḥfah al-Latīfah*, 3/234.

Zakawī. The brother who was known by the name of al-Ṣalāḥī had some problems and he thought that al-Samhūdī was the agent of these problems. So, he abandoned al-Samhūdī's classes and no longer studied with him. He further started plotting against him, inciting one of the janitors of the Prophetic Mosque against him. He managed to get a written order from him to vacate the room which al-Samhūdī used as a place of seclusion, under the pretext that it was needed for storing the oil used for the Mosque lamps.²⁹ However, when the Sheikh of the Prophetic Mosque found out about the incident and realised that the reason for evacuating the room was not valid, he ordered the key of the retreat room to be returned to al-Samhūdī who was overjoyed by this verdict.

Other frictions also took place between al-Samhūdī and his peers. These were referred to by al-Samhūdī himself who said:

But some people who attend the assembly of knowledge were so keen to contradict my opinions, even though they are extremely clear and unequivocal.³⁰

Another disagreement happened between al-Samhūdī and Al-Fāḍil ibn al-Khaṭīb al-Rayyis.³¹ The latter envied al-Samhūdī for his academic status and the fact that he was nominated for the post of head teacher of the Shāfi'ī School in Medina- a post al-

29 Ibid. 3/230-231.

30 Al-Samhūdī, *Wafā' al-Wafā*, 2/619.

31 'Abd 'Allāh ibn 'Aḥmad ibn al-Khaṭīb al-Rayyis, died in 891/1486. He was known by this name, al-Rayyis (the leader) because he played a role of leadership both in Medina and in his family. He was well versed in a number of disciplines. See his biography in Al-Sakhāwī, *Al-Daw' al-Lāmi*, 5/12-13.

Rayyis was himself aspiring for. Another dispute evolved between al-Samhūdī and al-Khawājā ibn al-Rasan who disagreed with al-Samhūdī in respect of a number of Sharī'ah issues.³² At one point, the frictions between al-Samhūdī and some of his peers got so bad that al-Samhūdī decided to leave Medina and go to Mecca.

However, al-Sakhāwī stopped him from doing so. Al-Sakhāwī ascribes the disagreement between al-Samhūdī and his opponents to more than envy. He explains:

In addition to academic envy which is an important factor in the disagreement between al-Samhūdī and others, there is also another reason and that is al-Samhūdī's staunch adherence to his own opinions.³³

Al-Sakhāwī goes on to say:

Sometimes, al-Samhūdī's discussions and debates with his discussants would lead him to be somewhat harsh with them. This, in turn, would lead some of them to exhibit some improper behaviour with him... It would have been better if he refrained from getting into these heated discussions.³⁴

Despite all these problems which al-Samhūdī experienced in Medina, he continued to command a great deal of esteem in Cairo. When he went back to visit his family, the scholars and judges in Egypt received him with a lot of respect. The Grand Judge of Egypt appointed him as a teacher of *Ḥadīth* in the al-Walawī Mosque and a teacher of

³² Al-Sakhāwī, Al-Daw' al-Lāmi', 4/10.

³³ Al-Sakhāwī, al-Tuhfah al-Latīfah, 3/233.

³⁴ Al-Sakhāwī, Al-Daw' al-Lāmi', 5/247.

Fiqh in the al- Ṣālihiyyah Mosque. He provided him with accommodation in the Judges' quarter and offered him the office of Deputy Judge, a post he declined.³⁵

1.4. His Teachers and Students

1.4.1. His Teachers

During his many travels between the most important centres of knowledge of his time viz. Medina, Mecca and Cairo, al-Samhūdī met a number of great, competent and renowned scholars who all had their impact on his personality and were the main source of the wealth of knowledge he accumulated throughout the years. Key amongst his teachers were the following:

- Al-Shams al-Jūjarī Muḥammad ibn ‘Abd al-Mun‘im al-Jūjarī.³⁶

Al-Samhūdī studied *Fiqh*, *Uṣūl al-Fiqh* and Arabic language with him. He studied a number of books with him, including *Jam‘ al-Tawḍīḥ* by ibn Hishām, *al-Khazrajiyyah* with its annotations and commentary by al-Shudhūr and the first quarter of *Sharḥ al-Bahjah* and *Sharḥ al-Minhāj* by al-Muḥallā. He also studied with him *Jam‘ al-Jawāmi‘* by the same author.³⁷

- Sharaf Al-Dīn ‘Abū Zakariyyā Yaḥyā al-Manāwī³⁸

Al-Samhūdī kept company with him longer than other teachers and read before him *Taqṣīm al-Minhāj* twice, also *Kitāb al-Ḥāwī*, *al-Tanbīḥ*, *al-Bahjah*, the commentary of *Jam‘ al-Jawāmi‘* and *Ḥāshiyat al-Manāwī ‘alā Sharḥ al-Bahjah*. He also studied with him part of *Alfiyyat ibn Mālik*, part of *Bustān al-‘Arifīn* by al-Nawawī, and *al-Risālah*

³⁵ Ibid. 5/246.

³⁶ Al-Sakhāwī, *Al-Daw‘ al-Lāmi‘*, 8/123., A-Shawkānī, *al-Nūr al-Tālī‘*, 2/200.

³⁷ Al-Sakhāwī, *Al-Daw‘ al-Lāmi‘*, 5/245., Al-‘Aydārūs, *al-Nūr al-Sāfir*, p.58.

³⁸ Al-Sakhāwī, *Al-Daw‘ al-Lāmi‘*, 8/123., al- Ziriklī, *al-‘A‘lām*, 7/130.

al-Qushayriyyah. He heard from him *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim* many times, *Mukhtaṣar al-'Uṣūl* by al-Bārizī extracted from the end of *Tafsīr al-Bayḍawī*. His teacher, al-Manāwī bestowed on him the shred of *Taṣawwuf* (Sufism).³⁹

- **Al-Shams al-Sharwānī Muḥammad ibn Murāhim al-Dīn al-Shāfi'ī**

Al-Samhūdī studied with him *Sharḥ 'Aqā'id al-Nasafī* by al-Taftazānī and *Sharḥ al-Tawālī* by al-'Isfahānī. He discussed with him the subject of *al-'Ilāhiyyāt* (Divinities) in Mecca and studied with him a portion of *al-Kashshāf* and the majority of *Mukhtaṣar Sa'd al-Dīn 'alā al-Talkhīṣ*. He also heard from him *Sharḥ ibn al-Ḥājib* and *Sharḥ al-Minhāj* by Al-'Izzī. He equally studied with him numerous other books, essays and commentaries.⁴⁰

- **Shihāb al-Dīn 'Aḥmad ibn 'Ismā'īl ibn 'Abū Bakr ibn 'Umar ibn Buraydah al-'Ibshīṭī⁴¹**

Al-Samhūdī kept his company in Mecca in 872 /1468 and in Madinah in the following year. He attended his lessons of *al-Minhāj* and heard from him part of *Tafsīr al-Bayḍawī*, *Sharḥ al-Bahjah*, and *Tawḍīḥ Ibn Hishām*. He studied with him some of his (al-'Ibshīṭī's) books, including his commentary on *Khutbat al-Minhāj* and his annotations on *al-Khazrajiyyah*. Thereafter, al-'Ishbīṭī gave him licence to teach.⁴²

- **Sa'd al-Dīn 'Abū al-Sa'ādāt Muḥammad ibn Sa'id, the Ḥanafī Judge in Egypt.**

³⁹ Al-Sakhāwī, *Al-Daw' al-Lāmi'*, 10/48., Al-'Aydarūs, *al-Nūr al-Sāfir*, p.58

⁴⁰ Al-Sakhāwī, *Al-Daw' al-Lāmi'*, 10/48 and 5/245., Al-'Aydarūs, *al-Nūr al-Sāfir*, p.58.

⁴¹ Al-Sakhāwī, *Al-Daw' al-Lāmi'*, 1/235., Ibn al-'Imād, *Shadharāt al-Dhahab*, 8/336., al- Ziriklī, *al-'A'lām*, 1/94.

⁴² Al-Sakhāwī, *Al-Daw' al-Lāmi'*, 5/246.

Al-Samhūdī studied with him *‘Umdat al-‘Aḥkām* and gave him licence to teach.⁴³

- Muḥammad ibn ‘Ibrāhīm ibn ‘Abd Al-Raḥmān ibn Muḥammad alias Al-Najm, the son of the Judge of ‘Ajlūn

Al-Samhūdī studied with him part of his [the teacher's] amendments of *al-Minhāj*.⁴⁴

- Muḥammad ibn ‘Aḥmad ibn al-Faqīh ‘Aḥmad alias Al-Shams al-Bāhī

Al-Samhūdī studied with him part of *Sharḥ al-Bahjah* and *Taqāsīm al-Minhāj*.⁴⁵

- Sāliḥ ibn ‘Umar ibn Raslān ibn Nuṣayr ibn Sāliḥ alias ‘Alam al-Dīn al-Balqīnī.

Al-Samhūdī attended some of his classes.⁴⁶

- ‘Umar ibn Muḥammad ibn Muḥammad ibn Abū al-Khayr Muḥammad ibn ‘Abd Allāh ibn Fahd alias ‘Umar ibn Fahd

Al-Samhūdī studied with him when he was in Mecca.⁴⁷

- Al-Kamāl Abū al-Faḍl Muḥammad ibn Muḥammad Abū Bakr al-Marjānī and his sister Kamāliyyah bint Muḥammad.

Al-Samhūdī heard from both of them in Mecca.⁴⁸

- Muḥammad ibn Muḥammad Al-Zayn Abū Bakr ibn Nāṣir al-Dīn Abū al- Faraj al-Marāghī

Al-Samhūdī heard from him a great deal in Medina.⁴⁹

43 Ibn al-‘Imād, *Shadharāt al-Dhahab*, 7/306., Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 5/246.

44 Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 6/254 and 5/245., Al-‘Aydārūs, *al-Nūr al-Sāfir*, p.58.

45 Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 7/48 and 5/245., Al-‘Aydārūs, *al-Nūr al-Sāfir*, p.58.

46 Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 3/312 and 5/246.

47 Ibid, 6/126 and 5/246.

48 Ibid, 9/67 and 5/246.

49 Ibid, 9/56 and 5/246.

- **Muḥammad ibn Muḥammad ibn Muḥammad ibn ‘Abd Al-Raḥmān ibn ‘Alī ibn Yūsuf ibn Maṣṣūr al-Shams ibn Al-Kamāl al-QāhirI, Imām of the Kamāliyyah Mosque**

Al-Samhūdī attended one of his classes. He conferred on him the Shred of *Taṣawwuf* and taught him *Dhikr* (Remembrance of Allah).⁵⁰

- **Zakariyyā ibn Muḥammad ibn Aḥmad ibn Zakariyyā al-Zayn al-Anṣārī al-Shāfi‘ī**
Al-Samhūdī studied with him *Sharḥ al-Minhāj al-Aṣli* by al-Asnā‘ī and the majority of his [the teacher's] commentary on the poem of ibn al-Hā‘im in *al-Farā‘id* (the Science of Legacies).⁵¹

- **Sa‘d ibn Muḥammad ibn ‘Abd Allāh ibn Sa‘d ibn Abū Bakr ibn Muṣliḥ ibn Abū Bakr ibn Sa‘d al-Dīn alias Ibn al-Dīrī.**

Al-Samhūdī studied with him *‘Umdat al-Aḥkām* and he granted him licence to teach it.⁵²

- **‘Uthmān ibn Ṣadaqah ibn ‘Alī ibn Muḥammad ibn Mukhlis al-Dīn ‘Abd Allāh ibn Muḥammad Abū Muḥammad al-Dimyātī al-Shārmāhī**

He granted al-Samhūdī licence to teach and practice *‘iftā’* after he tested him in some issues in his essays.⁵³

- **Al-‘Afīf ‘Abd Allāh ibn al-Qādī Nāṣir al-Dīn ibn Ṣāliḥ**

He taught al-Samhūdī a few subjects in Al-‘Ajīz and conferred on him the Shred of

50 Ibid, 9/224 and 5/245. Also in al- Ziriklī, al-‘A‘lām, 7/278.

51 Al-Sakhāwī, Al-Daw‘ al-Lāmi‘, 3/234 and 5/245., al- Ziriklī, al-‘A‘lām, 3/80.

52 Al-Sakhāwī, Al-Daw‘ al-Lāmi‘, 3/249 and 5/246., al- Ziriklī, al-‘A‘lām, 3/138.

53 Al-Sakhāwī, Al-Daw‘ al-Lāmi‘, 5/129 and 5/245., Al-‘Aydarūs, al-Nūr al-Sāfir, p.58.

Sufism which he, in turn had received from ‘Umar al-‘A‘rābī. ⁵⁴

The above list of al-Samhūdī’s teachers who all influenced the author and had a varying impact on his personality is by no means exhaustive. In fact, some others have already been mentioned in previous sections like al-Sakhāwī. The above names were the ones the researcher was able to compile from available books of biographies.

1.4.2. His Students

In view of the abundance of his knowledge and his great love to disseminate it and teach to others, al-Samhūdī had a large number of students. Most of them studied with him in Mecca and Medina. In fact, very few were the students in Medina who were not taught by him.⁵⁵ Key amongst these students were the following:

- Mas‘ūd al-‘Arabī⁵⁶
- Muḥammad ibn ‘Amad ibn Muḥammad ibn ‘Ibrāhīm ibn Jalāl⁵⁷
- Muḥammad ibn ‘Amad ibn al-Sharaf. Al-Samhūdī arranged for him to be appointed to the office of Judge.⁵⁸
- Al-Zayn ‘Abd Al-Raḥmān ibn ‘Abū al-Hudā, Al-Najm ibn Ya‘qūb al-Mālikī, and al-Shaykh al-Miskīn Wālid al-Jamā‘ah.⁵⁹
- ‘Abd Al-‘Azīz ibn al-Najm ‘Umar ibn Fahd.⁶⁰

54 Al-Sakhāwī, Al-Daw’ al-Lāmi’, 5/246.

55 Ibid. 5/247.

56 Ibid. 10/156.

57 Al-Sakhāwī, al-Tuhfah al-Latīfah, 3/493-494.

58 Ibid. 3/502-503.

59 Ibid, 3/233.

60 Ibn al-‘Imād, Shadharāt al-Dhahab, 8/301-302.

- Muḥammad ibn ‘Abd Al-Raḥmān al-Shams alias ‘Ibn al-Qaṭṭān or ‘Ibn al-Zayn. He later became the most eminent *Qāri’* (reciter of the Qur’ān) in Medina, its *‘Imām* and *Khaṭīb* (the one who delivers the Friday sermon) and a notable teacher. He continually sought the company of al-Samhūdī.⁶¹

- Muḥammad ibn ‘Abd Allāh ibn Muḥammad al-Zarandī al-Ḥanafī. He was an eminent *muftī* who issued legal rulings according to the *Ḥanafī* school of thought.⁶²

Overall, al-Samhūdī took great interest in his students, cared for them and arranged for the outstanding amongst them to assume key positions in Medina like *Qaḍā’* (Judicature) and other positions.⁶³

1.5. Al-Samhūdī’s Books

Al-Samhūdī left behind him a good number of works in the following disciplines: *Fiqh*, *‘Uṣūl*, *Ḥadīth*, *Sīrah* and History. His books became references for scholars of *Fiqh* and of other disciplines. The present researcher was able to identify most of al-Samhūdī’s books, as a good number of them have already been edited and published , while others are still in work form, awaiting edition, hence the significance of the present research which focuses on the edition of one of al-Samhūdī’s works.

The following sections review the titles of works authored by al-Samhūdī and provide some information about some of them, where such information was available in the references consulted. As for the titles of these books, they are presented below in the transliteration form only. No translation of the meanings of these titles was attempted, as most of these titles bear no immediate relation to the contents of the books. Their

61 Al-Sakhāwī, al-Tuhfah al-Latīfah, 3/624-625.

62 Ibid, 3/503.

63 Ibid, 3/609.

language is highly rhetorical and their meanings are highly figurative and metaphorical, as was the custom among the Muslim book writers of that time when choosing titles for their books.

1- *'Iqtifā' al-Wafā bi 'Akhbār Dār al-Muṣṭafā*⁶⁴

This book was destroyed along with many other books in a fire that broke out in al-Samhūdī's library in Medina while he was away in Mecca in 886 /1481.⁶⁵

2- *Wafā' al-Wafā bi 'Akhbār Dār al-Muṣṭafā*

Al-Samhūdī summarized it in his subsequent book *al-Wafā bi 'Akhbār Dār al-Muṣṭafā*. The summary was possible because the draft was still with the author when his library was burnt out.⁶⁶

3- *Khulāṣat al-Wafā bi 'Akhbār Dār al-Muṣṭafā*

It was summarized by the author in his book *Wafā' al-Wafā bi 'Akhbār Dār al-Muṣṭafā*.⁶⁷

These three books talk about Medina from a historical perspective and about the *Shari'ah* issues pertaining to the Prophetic Mosque, as well as the events that took place in Medina and its historical and architectural places. These three books are therefore key references which deal with this topic.

4- *Mas'alat Farsh al-Busūṭ al-Manqūshah*

It contains a response from al-Samhūdī, answering back those who have disagreed with him in some of his opinions, as reported by al-Sakhāwī. This book is missing.⁶⁸

64 Al-Samhūdī, *Wafā' al-Wafā bi 'Akhbār Dār al-Muṣṭafā*, 2/1.

65 Al-Sakhāwī, *Al-Daw' al-Lāmi'*, 5/247.

66 Al-Samhūdī, *Khulāṣat al-Wafā bi 'Akhbār Dār al-Muṣṭafā*, p.1. also Al-Samhūdī, *Jawāhir al-'Iqdayn fī Faḍl al-Sharafayn*, p.15.

67 Al-Samhūdī, *Jawāhir al-'Iqdayn fī Faḍl al-Sharafayn*, p.15.

5- *Hāshiyah ‘alā ‘Iḍāḥ al-Nawawī fī al-Manāsik*

This book is also missing.⁶⁹

6- *Al-Fatāwā*

This is a collection of legal rulings by al-Samhūdī. Again, this book is missing.⁷⁰

7- *Durar al-Sumūt fīmā li al-Wuḍū' min Shurūṭ*

This book is an essay by the author about the condition of ablution. It is also missing.⁷¹

8- *Tkmāl al-Mawāhib*

This is an appendix to a long essay by the author; also missing.⁷²

9- *Mawāhib al-Karīm al-Fattāḥ fī al-Masbūq al-Mushtaghil bi al-'Istiftāḥ*

This an essay which deals with prayers, providing answers to questions about what should be done by a worshipper who enters the mosque after the Imām has already begun the congregational prayer. The impetus to this essay was the abundance of questions pertaining to the above topic, which the author used to receive during his

68 Al-Sakhāwī, Al-Daw' al-Lāmi', 5/246. It should be pointed out here, that the editor of Jawāhir al-'Iqdayn fī Fadl al-Sharafayn, mentioned, when presenting the biography of al-Samhūdī that this book viz. Mas'alat Farsh al-Busuṭ al-Manqūshah was ascribed by al-Baghdādī to al-Samhūdī in Hadiyyat al-'Ārifīn. However, upon verification of this, it transpired that al-Baghdādī did not, in fact, ascribe this book to al-Samhūdī.

69 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Al-Sakhāwī, Al-Daw' al-Lāmi', 5/146.

70 Al-'Aydārūs, al-Nūr al-Sāfir, p.59., al- Ziriklī, al-'A'lām, 4/122.

71 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., al- Ziriklī, al-'A'lām, 4/122.

72 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/470., Al-Samhūdī, Jawāhir al-'Iqdayn fī Fadl al-Sharafayn, p.32.

lessons. He wrote this essay in 883/1478.⁷³

10- *Al-'Anwār al-Saniyyah fī 'Ajwibat 'As'ilat al-Yamaniyyah*

The impetus to this book was a letter sent to al-Samhūdī by one of the scholars from Yemen asking him a number of questions about the soul, so the author wrote back to him with the answers, which constituted his book:

*Al-'Anwār al-Saniyyah fī 'Ajwibat 'As'ilat al-Yamaniyyah*⁷⁴

11- *'Umniyat al- Mu'tanīn bi Rawḍat al-Ṭālibīn*⁷⁵

12- *Al-Ghammāz 'alā al-Māz*. A book about the most common and wide-spread *ḥadīths* and has been edited and published⁷⁶.

13- *Al-'Aqwāl al-Musfirah 'an Dalā'il al-'Ākhirah*: A book in *Fiqh*⁷⁷

14- *Jawāhir al-'Iqdayn fī Fadl al-Sharafayn*: A published book which talks about the virtue (honor) of knowledge and the virtue of lineage.⁷⁸

15- *'Idāḥ al-Bayān li mā 'Arādah al-.Hujjah min lays fī al-'Imkān 'Aḥsan mim mā Kān*⁷⁹

73 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Swīlim,I., Al-Samhūdī anhajuh wa Mawāriduh fī Kitābātih al-Tārikhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.418.

74 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740. Swīlim,I., Al-Samhūdī anhajuh wa Mawāriduh fī Kitābātih al-Tārikhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.414.

75 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740.

76 Edited by Ishāq, M. in an M.A Dissertation, University of Riyadh. 1401/1981.

77 Al-Samhūdī, Jawāhir al-'Iqdayn fī Fadl al-Sharafayn. p.17.

78 Al-'Alīlī, Musā, Al-Samhūdī fī Jawāhir al-'Iqdayn: Critical Edition, Ministry of Endowments and Religious Affairs, Iraq, 1405/1984.

16- *Shifā' al-'Ashwāq li Ḥukm mā Yakthur Bay'uhu fī al-'Aswāq*

The subject matter of this book is trade transactions and the amount of *Zakah* required for each of these transactions. The reason for writing this book was the large number of tradesmen in the time of the author who neglected the payment of *Zakah* on their trade. This book, like other books by the author were prompted by particular reasons, which indicates the author's engagement with his society and his concern to discharge the duty of enjoining good and forbidding evil.⁸⁰

17- *Tīb al-Kalām bi Fawā'id al-Salām*

This book talks about the Shari'ah rules pertaining to refraining from offering greeting the people of disobedience and adhering to offering greeting the people of obedience. Again, the author had a particular reason for writing this book. He wrote it as a sign of faithfulness to one of his teachers who was asked a number of questions regarding giving *salām* (greeting) by a Ḥanafī person. The teacher died before he was able to answer these questions, so al-Samhūdī wrote this book to answer the man's questions and honor his teacher's commitment.⁸¹

18- *Al-'Iqd al-Farīd fī 'Aḥkām al-Taqlīd*

Al-Samhūdī wrote this book in 879/1492, upon the request of one of his friends who

79 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740. No information is available about this book's contents or topic.

80 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Swīlim, I., Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.424.

81 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Swīlim, I., Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.415.

asked for a book detailing the rules governing *Taqlīd* (following), in the context of the worshippers in a congregational prayer (*ma'mūmin*) having to follow their *Imām* (the person leading the prayer). In this book, the author also talks about the requirements of the *Muftī* (the person who issues legal rulings).⁸²

19- *Al-Muḥarrar fī Ta'ayyun al-Ṭalāq*, also said to have the title of: *Al-Muḥarrar min al-'Ārā' fī Ḥukm al-Ṭalāq bi al-'Ibrā'*

Al-Samhūdī was prompted in writing this book by the dangerous spread of divorce in his time. The book talks about the rules governing divorce and focuses on the controversial issues in this field.⁸³

20- *Maṣābiḥ al-Qiyām fī Shar al-Ṣiyām*

The author wrote this book because the people of Medina differed among themselves about the number of *rak'ahs* (units of prayer) in the optional night prayers during the month of *Ramaḍān*.⁸⁴

21- *Kashf al-Jilbāb wa al-Hijāb 'an al-Qudwah fī al-Shubbāk wa al-Rihāb*

This book deals with some issues pertaining to the architecture of the Prophetic Mosque in Medina.⁸⁵

22- *Daf' al-Ta'arruḍ wa al-'Inkār li Busuṭ Rawḍat al-Mukhtār*

82 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Swīlim,I., Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārikhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.415.

83 Al-Baghdādī, Hadiyyat al-'Ārifīn, 1/740., Swīlim,I., Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārikhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.417.

84 Al-Samhūdī, Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā, 1/84-85.

85 Al-Samhūdī, Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā, 1/376.

In this book al-Samhūdī disapproves of what a number of Ḥanafī worshippers did in the Prophetic Mosque, designating a special place and a pulpit for the followers of their school of thought to pray in.⁸⁶

23- *Taḥqīq al-Maqālah fī ‘Umūm al-Risālah*

This book deals with the controversy that has arisen among the scholars of that time about the universal nature of the message of the Prophet (PBUH) and that it includes both mankind and Jinn. This book was prompted by a question addressed to the author by another scholar.⁸⁷

24- *Al-Naṣīḥah al-Wājibah al-Qabūl fī bayan Mawḍi‘ Minbar al-Rasūl*

This book shows the author's great interest in the Prophet's Mosque, as he devoted this book especially to the Prophet's Pulpit, inside the Mosque, in addition to his other books which deal with the Mosque in general.⁸⁸

25- *Naṣīḥat al-Labīb bi Mawḍū‘ Ru'yat al-Ḥabīb*

In this book, al-Samhūdī focused on the topic of seeing the Prophet (PBUH) in one's dream.⁸⁹

26- *Al-Lu'lu' al-Manthūr fī Naṣīḥat Wulāt al-'Umūr*

This is the work which makes the focus of the present research, providing a critical edition of it and presenting it in a new format to the students and seekers of

86 Al-Samhūdī, Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā, 2/683.

87 Swīlim, I., Al-Samhūdī anḥajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.422.

88 Al-Samhūdī, Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā, 2/411.

89 Swīlim, I., Al-Samhūdī Manḥajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, p.427.

knowledge. This work will be described with some detail in a subsequent chapter of this thesis (Chapter 3: Description of the Work).

1.6. The Author's Interaction with his Society

1.6.1. Introduction

Al-Samhūdī was not one of those scholars who secluded themselves from their social environment. Rather, he had a positive attitude towards his society and interacted actively with the various events which took place in the political and academic spheres around him. In short, he was an active scholar and a worker. Thanks to his sincere efforts, a great deal of the corruption which was rampant during his time was eradicated. He also managed to change some academic opinions using logical arguments, and principled dialogue. Nor was al-Samūdī aloof from the politicians and decision makers of his time. He mixed with the Emirs and Sultans with the aim of keeping abreast with the developments in his society and actively changing opinions and ideas which contradicted the *Sharī'ah* and went against the interests of his people. As will become clear from Chapter 3, Section below, Muslim scholars belonged to two different schools in terms of their relationships with the rulers. The scholars who belonged to the first school chose to isolate themselves from the rulers: they neither mixed with them nor attended their courts. The second school advocated the necessity to mix with the rulers, not with the aim of obtaining worldly gains from them, rather with the aim of giving them advice and influencing them. Al-Samhūdī clearly belonged to the latter school. This is borne out by his work, which is the focus of the present research. He called it *al-Lu'lu' al-Manthūr fī Naṣīḥat Wulāt al-Umūr* (Lit. *The Scattered Pearls in Giving Advice to the Rulers*). A detailed description of this work is provided in Chapter 3 below, meanwhile a brief review of al-Samhūdī's relationship with some rulers of his time is given in the following section to illustrate his great

interest in exhorting and advising these rulers, as well as the great interest he took in the various issues of his society.

1.6.2. The Author's Interest in the Issues of Islamic Jurisprudence and Islamic Law of his Time

One of the Islamic Jurisprudence matters about which al-Samhūdī had his own opinion was the issue of the position of the body of the deceased vis-à-vis the grave of the Prophet (PBUH). It was the custom at that time to place the corpse of the deceased person, during the Funeral Prayer, with its feet facing the grave of the Prophet (PBUH). Al-Samhūdī was of the opinion that the head of the deceased should be placed facing the grave of the Prophet (PBUH) and not the opposite.⁹⁰ He also vehemently criticized the current practice at that time, whereby the doors of the Prophet's Mosque were kept closed at night and were only opened shortly before *Fajr* (Dawn) prayer. During the month of Ramaḍān, these doors were kept closed till shortly before the *Tarāwīḥ* prayers (early evening optional prayers). This practice forced both the people of Medina and the visitors to wait for long periods to get in. Once the doors were open, the people burst into the mosque racing with each other [vying for a place in the front rows]. Al-Samhūdī was of the opinion that this was an act of contempt to the Prophet's Mosque and extremely disrespectful to the Prophet (PBUH), in addition to the disturbance that caused to the worshippers already praying inside the Mosque.⁹¹ Another wrong practice in the Prophet's Mosque, which al-Samhūdī criticized and was equally instrumental in finding a remedy for, was the gatherings of women in front of the grave of the Prophet (PBUH). These gatherings

90 Al-Samhūdī, *Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā*, 2/532-535.

91 Al-Samhūdī, *al-Wafā' bimā Yajib li Ḥaḍrat al-Mustafā*, pp.158-161.

took place on special occasions, such as the first Friday of the month of *Rajab*, the eve of the 27th day of the same month, the eve of the middle day of the month of *Sha‘bān* and the eve of the 27th day of the month of *Ramaḍān*, as well as on most Thursday nights throughout the year. On these occasions, women used to gather in front of the grave of the Prophet (PBUH) between the prayers of *Maghrib* and *‘Ishā’*, adorned and wearing perfume, which attracted some men of corrupt moral character who would hover around them to look at them and talk to them. This excluded people of good moral character and piety from visiting the mosque during these times. Al-Samhūdī was of the opinion that the time between *Maghrib* and *‘Ishā’* should be allocated to women only and men should be barred from visiting the grave during this time. Moreover, al-Samhūdī declared that it was the Governor's personal duty to ensure the implementation of such arrangement.⁹²

Al-Samhūdī equally opposed the practice of some people inside the Prophet's Mosque who used to reserve some places for themselves in the front rows and kept other worshippers off these spots by laying down prayer mats in them. This practice was particularly common during the month of *Ramaḍān*. Sometimes the people who reserved these places would leave their places for whatever purpose during the breaks and would not come back even after the prayers had resumed. This meant their places would remain empty and other worshippers were deprived from praying in the front rows. Al-Samhūdī considered this practice an evil which needed to be removed and his verdict was that, unless the person who left his place indicated that he would come back after going away for a specific purpose, say to renew his ablution, [and he did that within the time of the break], he would forfeit his right to pray in that particular

92 Al-Samhūdī, *al-Wafā' bimā Yajib li Hadrat al-Mustafā*, p.162.

place.⁹³

Al-Samhūdī also stressed that some places like mosques had to be always treated with the respect due to them. For example, he used his influence to ensure the cleanliness of Abū Bakr al-Ṣiddīq's Mosque. To the left of this mosque was a farm with a yard where animals were kept. People took to the inappropriate practice of making the animals pass through the mosque's gate to get to the farm yard. This caused the mosque to become dirty and rendered it unsuitable for worship. Al-Samhūdī convinced the owner of the farm to change the gate of his farm and the problem was solved after some time.⁹⁴

The above were a few examples cited to illustrate al-Samhūdī's active role in changing situations which needed change.⁹⁵ This is to prove that al-Samhūdī did not detach himself from his society and from the conditions of the people around him. The scope of his interest extended beyond Medina to include Cairo. In fact, his book *al-Lu'lu' al-Manthūr fī Naṣiḥat Wulāt al-'Umūr* testifies to that, as he extended his criticism in it to many phenomena which existed in Cairo and Egypt.⁹⁶

1.6.3. Al-Samhūdī's Relationships with the Rulers of his Time

Al-Samhūdī lived during the end of the Mamluk period in Egypt. A large number of Mamluk Sultans acceded to the throne during his lifetime (up to 15 of them).

93 Al-Samhūdī, *al-Wafā' bimā Yajib li Hadrat al-Mustafā*, p.163.

94 Al-Samhūdī, *Wafā' al-Wafā bi 'Akḥbār Dār al-Mustafā*, 3/785.

95 For more details see Al-Samhūdī, *al-Wafā' bimā Yajib li Hadrat al-Mustafā*, also Swīlim,I., *Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah*, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, and subsequent sections of the present thesis.

96 Swīlim,I., *Al-Samhūdī Manhajuh wa Mawāriduh fī Kitābātih al-Tārīkhiyyah*, PhD. Thesis, Department of History, King Saud University, Riyadh, 1999, pp.133-136.

The Sultan Qait Bey's reign period was by far the longest. He reigned from 872/1486 to 910/1496.⁹⁷ Qait Bey was one of the greatest Mamluk sultans, mainly because he was able to stay in power for a relatively long period (29 years). He went on to become the greatest patron of art and architecture in the Circassian Mamluk period. He re-established the authority of the sultanate, stabilized the economy, and oversaw a revival of the arts. He fought sixteen military campaigns, but is best remembered for the spectacular buildings he left. His buildings graced Mecca, Medina, Jerusalem, Damascus, and every quarter of Cairo.⁹⁸ At the time of Qait Bey, al-Samhūdī was at the prime of his life, so he had a close relationship with Sultan Qait Bey. It was a healthy relationship between a scholar and a ruler. Al-Samhūdī's aim from this relationship was not material gain, rather, he was focused on enjoining good and forbidding evil and giving sincere advice to the Sultan. The relationship between al-Samhūdī and Sultan Qait Bey started in the wake of the fire which broke up in the Prophet's Mosque in Medina and destroyed al-Samhūdī's library. Upon his return to Cairo, after the fire, al-Samhūdī was received by Sultan Qait Bey who compensated for his loss by giving him a sum of money to enable him to buy new books. This was the first encounter between the two men⁹⁹ and was followed by a number of other encounters. Al-Samhūdī made sure to go and sit in the Sultan's court whenever an opportunity availed itself to him. The first assembly he attended was in 884/1479, when the Sultan performed *Hajj*. During this visit, the Sultan ordered the refurbishment of the Prophet's Mosque in Medina. This deed which was much

97 Taqqūsh, *Tārīkh al-Mamālīk fī Miṣr wa Bilād al-Shām*, p.576.

98 Taqqūsh, *Tārīkh al-Mamālīk fī Miṣr wa Bilād al-Shām*, p.469.

99 Al-Sakhāwī, *al-Tuhfah al-Latīfah*, 2/231.

appreciated by al-Samhūdī who heartily thanked the Sultan, praised him and prayed for him.¹⁰⁰

The Sultan also developed a great deal of admiration for al-Samhūdī and urged him to keep attending his court because he trusted his knowledge, piety and sincerity. He equally appreciated his great interest in the Prophet's Mosque, in Medina and in other places in the Muslim world. The Sultan also sought to get from al-Samhūdī accurate information about events that took place in Medina. The first of such events was when the Sultan sent a representative to Medina to purchase the house of al-'Abbās. This resulted in the killing of a judge called Qādī al- Zakawī. Al-Samhūdī informed the Sultan that this incident happened due his representative's inadequate and awkward management of the whole affair. The Sultan thanked him for his frankness, sincerity and truthfulness.¹⁰¹ This event proved al-Samhūdī's courage and detachment in his relationship with the Sultan and marked the beginning of a much stronger cooperation between the two men. Thereafter, the Sultan started to rely on al-Samhūdī to deal with many affairs related to Medina. He entrusted him with reporting to him the true version of the events that took place in Medina. He also entrusted him with the task of informing him about the poor and the needy in Medina so that he (the Sultan) could send help and assistance to them.¹⁰² Al-Samhūdī discharged his new duties with great dedication, including the monitoring of the Sultan's governors ' implementation of the Sultan's orders. Once, he noticed that these governors failed to carry out the Sultan's orders, so he made sure to this was reported the Sultan, which he did personally

100 Al-Samhūdī, *Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā*, 2/647.

101 Al-Samhūdī, *Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā*, 2/713.

102 Ibid, 2/713-714.

during one of his visits to Cairo. Al-Samhūdī was very wise in the manner he informed the Sultan. He did not put the blame directly on the governors and tried to find excuses for them. However, eventually, he made sure that all the orders of the Sultan were implemented; without inciting the Sultan against any of his governors. He, thus, managed to keep problems under control, served the interests of the Muslims and maintained good relations with all parties.¹⁰³

Another stance adopted by al-Samhūdī which reflected his wisdom and adroitness was his reaction to the Emir of Medina Zayn al-Dīn Daygham ibn Khashram al-Manṣūrī¹⁰⁴ when the latter levied *Mukūs*, taxes on the people of Medina.¹⁰⁵ Al-Samhūdī reported this decision to the Sultan, without blaming the Emir. Rather, he explained to the Sultan that Medina's need for extra funds was the cause of the Emir's decision to levy taxes. He further requested from the Sultan to compensate the Emir for the abolition of these taxes.¹⁰⁶ The result of this wise action on the part of al-Samhūdī was that the Emir of Medina undertook some repairs in Medina after he was compensated by the Sultan.¹⁰⁷

Al-Samhūdī's relationship with other rulers of his time was equally good. He constantly drew these rulers' attention to the importance of knowledge and of scholars. As a consequence, he won the trust of the Emirs of his time and they sought to establish good relations with him. One of these Emirs was Emir Dāwūd ibn 'Īsā ibn

103 Ibid, 2/715.

104 Al-Sakhāwī, al-Tuhfah al-Latīfah, 2/252-253.

105 Mukūs were special taxes levied during the Mamlūk period on houses, shops and Turkish baths. See 'Imārah, Qāmūs al-Muṣṭalahāt, pp.558-559.

106 Al-Samhūdī, Wafā' al-Wafā bi 'Akhbār Dār al-Mustafā, 2/644, 713.

107 Ibid, 3/785, 837.

‘Umar, the *Skeikh* of the Arabian tribe of Banī Hawwāra.¹⁰⁸ Al-Samhūdī met him in 893/1477 and this encounter established a close friendship between the two men, so the Emir decided to send his *Zakah* money and annual charities to al-Samhūdī to forward them to those he reckoned needed them. He also gave al-Samhūdī a large number of books [for the Mosque Library] and entrusted him with the task of looking after them.¹⁰⁹

In one of the *Hajj* seasons, al-Samhūdī met another Emir, the Emir of Najd, *Sheikh* Ajwad ibn Zāmil al-‘Aqīlī al-Jabrī.¹¹⁰ Al-Samhūdī soon won this Emir's trust and the latter delegated to him the task of distributing the money of *Zakah* among the poor and the needy in Medina.¹¹¹

The foregoing clearly described how al-Samhūdī related to the rulers of his time. In fact, his relationship with the Emirs and the Sultan was typical of how the true relationship should be between scholars and rulers.

1.7. Al-Samhūdī's Death

Al-Samhūdī died on 28th day of Dh_u al-Qi‘dah 911/ 28/11/1506. His Funeral Prayer was conducted in the Prophet's Mosque at the *Rawḍah* after ‘Aṣr Prayer and was buried in *al-Baqī‘* Cemetery.¹¹²

Because al-Samhūdī had no children, his three brothers inherited him. Each of them

108 Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 3/214-215.

109 Ibid, 3/214-215. Al-Sakhāwī, *al-Tuhfah al-Latīfah*, 3/264.

110 Al-‘Aḥsā’ī, *Tuḥfat al-Mustafīd*, 1/120.

111 Al-Sakhāwī, *al-Tuhfah al-Latīfah*, 3/234.

112 Al-Sakhāwī, *Al-Daw’ al-Lāmi’*, 5/245. Al-‘Aydarūs, *al-Nūr al-Sāfir*, p.58, Randī, H. *Mawārid al-Samhūdī wa Manhajuh al-Tārīkhī fī Kitābih Wafā’ al-Wafā bi ‘Akhbār al-Mustafā*, M.A. Dissertation, Umm al-Qurā University, 1999, p.121.

received the share al-Samhūdī had bequeathed to him in his will.¹¹³

1.8. Conclusion

The foregoing sections of this chapter reviewed the various facets of al-Samhūdī's life: his birth, lineage, status among other scholars and how he came to command such a status, his teachers and students, his books and his academic legacy. Finally, a brief account was presented of how he related to the rulers of his time and how he conducted himself with them.

¹¹³ Al-Jāsir, *Rasā'il fī Tārīkh al-Medina*, p.30.

CHAPTER TWO

The Socio-Political Conditions During the Author's Period

2.1. Introduction

It is a well known fact that the period in which an author lives plays a significant role in shaping his intellect and scholarly mentality, has a deep impact on his upbringing and intellectual orientations and leaves on his works clear imprints of the various socio-political and cultural conditions prevalent in that period. A typical example of such influence in al-Samhūdī's work under study is his description of the conditions of *'Ahl al-Dhimma* (non-Muslims living under the protection of Muslim rule) and his reaction towards *'Ahl al-Dhimma* and towards the rulers who empowered them and invested them with a great deal of authority.

In this chapter we will foreground the work of al-Samhūdī by focusing on the main aspects of the author's period, namely, the political, economic, social, cultural and academic conditions prevalent towards the end of the Mamluk era (844- 911 A.H/ 1440-1505 C.E).

This period can be said to be the extension of the whole Mamluk era and bore the impact of both Bahrī and Burjī Mamluk periods, hence this chapter will provide a quick review of the entire Mamluk era with a special focus on the Burjī period, during which al-Samhūdī lived and authored his book.

2.2. Overview

The Mongol invasion of Baghdad in (656/1258) had far reaching consequences for the whole region and one such consequences was the emergence of the Mamluk rule in Egypt and the Shām region.

Although they did not originate from Egypt and al-Shām, the Mamluks were able to establish one of the most powerful and most prosperous states of the region throughout its Islamic history. The Mamluk rule achieved for Egypt and the Shām region both sovereignty and independence and prompted Egypt to a prominent status in the Muslim world. The Mamluk reign in Egypt extended from 648 to 923 A.H/1250 to 1517.¹¹⁴

However, most history references agree that the appearance of the Mamluks on the Muslim world scene took place long before the rise of their state in Egypt and the Shām region. They were first brought into service by the early Abbasid Caliphs who depended on them to consolidate their state and engaged them in the cavalry sections of their armies and in administrative tasks. Soon afterwards, the use of Mamluks became a common phenomenon throughout the Muslim world, including in Egypt, where the monarch Aḥmad ibn Ṭūlūn who ascended to the throne in 254/868 extensively acquired Daylamī Mamluks, original inhabitants of the Caspian Sea area. Their numbers under his reign exceeded 24000. After the Tulunids, their successors the Ikhshidites followed suit and they, in turn, extensively acquired Turkish Mamluks and used them in the army.¹¹⁵

The term '*Mamālīk*' in Arabic (singular: *Mamlūk*) denotes slavery and bondage, as a Mamluk was indeed the property of his master. "*Mamlūk*" literally means "one owned by another", a "bondsmen", and the Mamluks were slaves but of a special

114 Sālim, A et al. *Dirāsah fī Tārīkh al-Ayyūbiyyīn wa al-Mamālīk*, Alexandria, Mu'assasat Shabāb al-Jāmi'ah, 1992, p.195

115 Hassan, H.A.M. *Dirāsāt fī Tārīkh al-Ayyūbiyyīn wa al-Mamālīk*, Alexandria, Dār al-Ma'rifah al-Jāmi'iyyah, 2000, pp.153-154.

kind. They used to be purchased from the slave market, while still in their tender age. then they would be brought up, educated and trained to be at the service of the rulers and the sultans of the region.¹¹⁶

Some researchers are of the opinion that a Mamluk is by definition:

' a slave that can be bought and sold, but the term *Mamluk* has been used to refer to a category of slaves, especially earmarked to sell to rulers ,sultans and Caliphs in order to recruit them in special units in their armed forces.'¹¹⁷

The author of *Mūjaz al-Tārikh al-Islāmī*, however, differed from the above opinion and maintained that Mamluks:

'were neither slaves nor bondsmen, rather they were freemen and that their sale was illegal and therefore invalid, due to the fact that fathers used to sell their children in order to guarantee them a life of glory in the palaces of sultans; also slave traders used to kidnap some of these children from their parents and sell them; and Islam outlaws both practices.'¹¹⁸

The term *Mamālīk* figured prominently in Egyptian and Middle Eastern history for more than three centuries, particularly after these slaves advanced themselves to high military posts and succeeded in establishing a powerful state which ruled Egypt and

116 Qāsim, A.Q., 'Aṣr Salāṭīn al-Mamālīk fī al-Tārikh al-Siyāsī wa al-'Ijtīmā'ī, 1st Edition. Cairo, 'Ayn Shams li al-Dirāsāt wa al-Nashr, 1998.

117 Sālim, A et al. Dirāsah fī Tārikh al-Ayyūbiyyīn wa al-Mamālīk, Alexandria. Mu'assasat Shabāb al-Jāmi'ah, 1992, p.195

118 Al-'Asīrī, A., Mūjaz al-Tārikh al-Islāmī, p.263.

the Shām and Hijāz regions, spread its influence over the whole region, including the Mediterranean, the Red Sea and Africa; and dominated both political and diplomatic relations in these geographical areas.¹¹⁹

To conclude we can say that Mamluks were purchased slaves converted to Islam, imported by the Ayyubids and initially recruited as soldiers and warriors. Subsequently, they emerged to prominence, overthrew the Ayyubid dynasty and inaugurated a line of more than 50 independent sultans.

From this class sprang two ruling dynasties, the Bahrī (1250-1382), made up of Turks and Mongols, and the Burjī (1382-1517), made up of Circassians. The founding of the Bahrī dynasty in 1250 began a succession that brought territorial gains and great prosperity to Egypt. However, after 1341 the power of the Bahrī sultan passed gradually to troop commanders, and by 1381 the first Burji ruler was able to take over the throne. His rule and that of his successors was troubled by palace revolts, civil wars, and foreign conquests, culminating in the defeat of Egypt in 1517 by Selim I, sultan of Ottoman Turkey.¹²⁰

2.3. Historical Roots of the Mamluk State

Since the Islamic conquests until it came under the Mamluk rule, Egypt saw three types of rulers:

- a. The Emirs
- b. The Fatimid Caliphs

119 Qāsim, A.Q., 'Asr Salāṭīn al-Mamālīk fī al-Tārīkh al-Siyāsī wa al-'Ijtimā'ī, 1st Edition, Cairo, 'Ayn li al-Dirāsāt wa al-Nashr, 1998, p.25.

120 E. Ashtor, A Social and Economic History of the Near East in the Middle Ages, London, Collins, 1976, p.280.

c. The Kings and Sultans

The latter type, in turn, had three different subcategories: The Ayyubids, their Mamluks, who were Turks, and the Circassians.

Noteworthy, the Mamluks descended from different ethnic origins, namely: Turkish, Mongols, Tatars, Sicilians, Spanish, German and Circassians and other white slaves from other ethnic groups. The majority of the Baḥrī Mamluks were from the land of Turkish Kafkas (Caucasus), who were imported from the northern coast of the Black Sea. The majority of Burjī Mamluks, on the other hand, were from a Circassian origin.¹²¹

As far as the Mamluks of Turkish origin were concerned, it was the Abbasid Caliphs who used them extensively in their armed forces as an alternative to soldiers from Arab origin. It was the Caliph al-Mu'taṣim Bi-Allāh al-'Abbāsī who first relied heavily on Turkish Mamluks to staff his army, partly due to their many positive attributes including courage and bravery and to the fact that al-Mu'taṣim did not trust Persian soldiers and wanted to curtail their influence by introducing a new element in his kingdom. Another motive may have been that al-Mu'taṣim wrongly believed that Turkish Mamluks, unlike Persians had no ambition to grab power when the opportunity availed itself to them and unlike Arabs were devoid of *'aṣabiyyah*, loyalty to their respective tribes.¹²²

Al-Mu'taṣim (218-833/227-843) whose mother was of Turkish origin recruited

121 Holt, P. M. The Central Islamic Lands From Pre-Islamic Times To The First World War, The Cambridge History of Islam, V. 1A, New York: Cambridge University Press, 1988, p 227.

122 'Umar, F. Muḥāḍarāt fī Tārīkh al-Khilāfah al-'Abbāsiyyah fī 'Ahd al-Fawḍā al-'Askariyyah, Baghdad, 1973, p.28.

Turkish Mamluks in special units in his army. He kept importing them, while still young, from Samarqand, Farghānah, al-Sind and other Islamic provinces, to the point that their numbers exceeded 13000 and were no longer able to fit inside Baghdad without inconveniencing the local population. Al-Mu'taṣim, then moved them to Sāmīrrā', the city he had founded to serve as the new capital of his kingdom.¹²³

Before al-Mu'taṣim, Al-Ma'mūn (ruled 198/813-218/833), also used Turkish Mamluks as his special guards. He even used them in his struggle against his brother Al-'Amīn. History books also make mention of some Turkish Mamluks advancing themselves to some key posts in the armed forces under the reign of Al-Manṣūr (ruled. 754/1353-775/1373) and Al-Mahdī (ruled 775/1373–785/1383) where they played a significant role in crushing the Kharijite revolt led by 'Abd al-Salām al-Yashkarī.¹²⁴

The Bahrī Mamluks of Turkish origin were introduced to Egypt by the Ayyubid rulers, in particular by the Ayyubid Sultan Najm al-Dīn 'Ayyūb, who initially imported 80 of them. When he was captured and locked up in Nablus, they loyally waited for him in Nablus until he was released. He showed a great deal of gratitude to them when he rose to the throne in Egypt, made them his entourage, offered them residence with him in the Rawḍah Citadel and called them the Bahrīs. There were one thousand of them, all of Turkish origin.¹²⁵

123 Al-'Abbādī, A.M, *Fī al-Tārīkh al-'Ayyūbī wa al-Mamlūkī*, Alexandria, Mu'assasat Shabāb al-Jāmi'ah, 1992, p.7.

124 'Umar, F. *Muḥāḍarāt fī Tārīkh al-Khilāfah al-'Abbāsiyyah fī 'Ahd al-Fawḍā al-'Askariyyah*, Baghdad, 1973, p.25.

125 Hassan, H.A.M. *Dirāsāt fī Tārīkh al-Ayyūbiyyīn wa al-Mamālīk*, Alexandria, Dār al-Ma'rifah al-Jāmi'iyyah, 2000, p.154.

Al-Maqrīzī, in his book *Al-Mawā'iz* recounts that Nūḥ ibn Asad al-Samānī, the governor of Bukhārā presented as a gift to the Abbasid Caliph al-Ma'mūn in the year 200 A.H a number of young Turkish boys, amongst whom was Ṭulūn, whose son Aḥmad subsequently founded the Tulūnite State in Egypt. Al- Maqrīzī further maintains that the Ayyubids and the Ikhshidites were the first to widely introduce the Mamluks to Egypt. Their number at the time of the Ayyubids was in excess of 24000.¹²⁶

Ibn Taghrī Bardī also mentions that Muḥammad ibn Ṭaghj al-Ikhshīdī, in line with the Ṭulūnites, extensively imported Turkish Mamlūks and black slaves and that the number of Turkish Mamluks at his time reached 8000.¹²⁷

As for the Sicilian Mamluks, these were mainly used by the Omayyads in Spain, the Aghlabids in North Africa and the Fatimids in Egypt. Most of these Sicilian Mamlūks were imported from the Black Sea shores. They used to be imported to Spain while still children, would get trained as cavalry men and as administrators, then appointed¹²⁸ to leadership posts in the army and to key positions in the State departments. Subsequently, some of these Mamluks grabbed the power and founded their own independent states in Eastern Andalusia during the time, historically known as the Ṭwā'if era.

The Aghlabids, in turn used the Sicilian Mamluks in North Africa, after their conquest of Sicily and the southern shores of Italy. The Fatimids, after the Aghlabids heavily

126 Al-Maqrīzī, *Al-Maw'iz wa al-'I'tibār bi Dhikr al-Khiṭaṭ wa al-'Amṣār*, Part II, Cairo: Dār al-Ṭibā'ah al-Miṣriyyah, p.91.

127 Ibn Taghrī Bardī, *Al-Nujūm al-Zāhirah*, Part III, p.256.

128 Al-'Abbādī, A.M., *Al-Ṣaqālibah fī Isbāniyā*, *Manshūrāt al-Ma'had al-Miṣrī bi Madrīd*, 1953, pp.36-57.

involved the Sicilian Mamluks in the leadership of their armies and the administration of their various affairs. One of Cairo's major avenues, *Shārī' al- Saqāliba* was named after the Sicilian Mamluks.¹²⁹

Ṣalāḥuddīn al-Ayyūbī, after the downfall of the Fatimid State in Egypt, shifted his interest to Turkish Mamluks. At Ṣalāḥuddīn's time, these Mamluks, along with Kurdish soldiers made up the backbone of his army. Ṣalāḥuddīn organized his army in this manner following the Seljuki and Atabeylik customs.¹³⁰

2.4. The Main Features of the Mamlūk State in Egypt

Mamluk history is divided into two periods based on different dynastic lines: the Baḥrī Mamluks (648/1250- 748/1382) of Kipchak Turkic origin from southern Russia, and the Burjī Mamluks (748/1382–923/1517) of Caucasian Circassian origin, who were quartered in the citadel (*al-burj*, literally "the tower").

2.4.1. The Baḥrī Mamlūk State (648/1250- 748/1382)

The Baḥrī dynasty was a Mamluk dynasty of Kipchak Turk origin. Baḥrī Mamluks were named after the location of their barracks on the Nile (*al-bahr*, literally "the sea," a name given to the Nile), although another opinion traces their name back to the way these Mamluks were imported into Egypt viz by sea, from their territories of origin.¹³¹

In 648/1250, when the Ayyubid Sultan Al-Sāliḥ Najm al-Dīn al-Ayyūbī died, the Mamluks killed his heir, and Aybak, a Mamluk general married Shajara al-Durr.

129 Ibn al-Kaḥaṭīb, *A'māl al-I'lām fī man Būyi'a Qabl al-Iḥtilām min Mulūk al-Islām- al-Qism al-Khaṣṣ bi Tārīkh al-Maghrib*, Taḥqīq Aḥmad Mukhtār al-'Abbādī et al. Casablanca, 1964, p.43.

130 The word 'Atābik' is a Turkish word which means 'chief'/leader, a title given to the Chief Commander of the army, cf al-Qalqashandī, *Ṣubḥ al-A'shā*, 4/18, 16/11 and Bāshā, H., *Al-'Alqāb al-Islāmiyyah fī al-Tārīkh wa al-Wathā'iq wa al-Āthār*, p.122.

131 Taqqūsh, M.S., *Tārīkh al-Mamālīk fī Miṣr wa Bilād al-Shām*, p.27.

widow of Al-Sāliḥ. The Mamluks consolidated their power in ten years and eventually established the Baḥrī dynasty. They were helped by the Mongols' sack of Baghdad in 656/1258, which effectively destroyed the Abbasid Caliphate. Cairo became more prominent as a result and remained a Mamluk capital thereafter.¹³²

The rise of Aybak to the throne inaugurated a line of 29 Baḥrī Sultans, starting with Aybak (650/1252 – 655/1257), through to the last Baḥrī ruler, Ḥajjī II (748/1382).

Table 2.4.1. below features the timeline of the Baḥrī Mamluk dynasty.

Table 2.4.1.: Baḥrī Mamluks Timeline¹³³ (*)

132 Hassan, H.A.M, *Dirāsāt fī Tārīkh al-Ayyūbiyyīn wa al-Mamālīk*, Alexandria, Dār al-Maʿrifah al-Jāmiʿiyyah, 2000, p.154.

133 Synthesized from a number of sources: African Kingdoms, Islamic Egypt. <http://www.kessler-web.co.uk/History/KingListsAfrica/EgyptMamlukes2.htm>, http://en.wikipedia.org/wiki/Burji_dynasty.

	Date		Baḥrī Mamluks Timeline (648/1252 -748/ 1382)	
	Hijrī	Gregorian		
1	649- 655	1252 - 1257	Shajara al-Durr + Aybak al Turkumanī	
2	655-657	1257 - 1259	‘Alī I	
3	657-658	1259 - 1260	Qutuz al Mu‘izzī	The Bahrīs defeat the Mongols
4	658-675	1260 - 1277	Baybars I al Bunduqdārī	
5	675-677	1277 - 1279	Baraka / Berke Khan	
6	677	1279	Salamish / Suleymish	
7	677-689	1279 - 1290	Qalāwūn al Alfī	
8	689-692	1290 - 1293	Khalīl ibn Qalāwūn	
9	692	1293	Baydara(?)	
10	692-693	1293 - 1294	Muḥammad I	
11	693-695	1294 - 1296	Kitbughā	
12	695-698	1296 - 1299	Lachin / Lajin al Ashqar	
13	698-708	1299 - 1309	Muhammad I	Restored
14	708-709	1309 - 1310	Baybars II al Jashnakīr (Burji)	
15	709-741	1310 - 1341	Muḥammad I	Restored
16	741	1341	Abū Bakr	
17	741-742	1341 - 1342	Kujuk / Kuchuk	
18	742	1342	Aḥmad I	
19	742-745	1342 - 1345	Ismā‘īl	
20	745-746	1345 - 1346	Sha‘bān I	

21	746-747	1346 - 1347	Ḥajjī I	
22	747-751	1347 - 1351	al Ḥasan	
23	751-754	1351 - 1354	Salih	
24	754-761	1354 - 1361	al Ḥasan	
25	761-763	1361 - 1363	Muḥammad II	
26	763-777	1363 - 1377	Sha‘bān II	
27	777-782	1377 - 1382	‘Alī II	
28	782	1382	Ḥajjī II	

(*) Source: researcher's own compilation based on the sources presented in the preceding section

It was during this period that the Mamluks established their kingdom and the legitimacy of their reign. They managed to win people's admiration, mainly by protecting the Muslim territories both against the Crusaders and the Mongols.

On the inner front the Baḥrīs created an infrastructure by reconstructing roads, repairing bridges and fortifying the north coast. They were also great patrons of arts and architecture. The epitome of Mamluk architecture can be seen in the buildings of Sultan Qalawūn (r. 677-1279/689-1290)¹³⁴

2.4.1.1. The main Baḥrī Mamluk Sultans:

a. Sultān Quṭuz al-Mu'izzī (r. 657/1259-658 /1260):

134 Al-Ḥaddād, M.Ḥ.I., Al-Sultān al-Manṣūr Qalāwūn, 2nd Edition, Cairo, Maktabat Madyūlī, 1418/1998, p.99.

Sayf ad-Dīn Qutuz (d.658/ 1260) was the Mamluk Sultan of Egypt from 657/1259 until his death. He was born in a royal family before he was captured by the Mongols and sold as a slave, ending up in Syria, from which he was sold to an Egyptian slaves merchant who sold him to Aybak, the first Mamlūk Sultan.

In 658/1260, Qutuz, with Baybars leading his army, defeated the Mongol army under Kitbūqā at the Battle of ‘Ayn Jālūt, and shortly thereafter, he was killed by Baybars who claimed the sultanate for himself.

b. Sultan Baybars I (r. 658/1260-675/1277)

Sultan Al-Zāhir Baybars, also known as Rukn Al-Dīn Baybars. His full name was al-Malik al-Zāhir Rukn al-Dīn Baybars al-Bunduqdārī.

Baybars became a commander of the Ayyubid and then Mamluk armies in 647/1250. In 658/1260, he led Mamluk troops to victory against the Mongols at the Battle of ‘Ayn Jālūt.

As sultan, he rebuilt the Syrian fortresses that had been destroyed by the Mongols and built up the sultanate's armaments. He recovered territory from the Crusaders and harried the Mongols in Persia, attacking their allies (the Christian Armenians) and forging an alliance with the Mongols of the Golden Horde against them. He sent military expeditions into Nubia and Libya. He established diplomatic relations with James I of Aragon, Alfonso X of Leon and Castile, and Charles of Anjou, as well as with the Byzantine emperor.¹³⁵

¹³⁵ Encyclopedia Britannica Online, <http://concise.britannica.com/ebc/article-9356781>

On the home front, he was active in building the infrastructure of the state. Canals were built in Egypt, harbours were improved, and he even established a postal service between Cairo and Damascus that required only 4 days for delivery. He also built mosques, and appointed chief justices of all the four schools of Shari'ah.¹³⁶

He died in Syria in 675/1277. Al-Madrassah al-Zāhiriyyah is the school build adjacent to his Mausoleum in Damascus. The Al-Zāhiriyyah library has a wealth of works in various branches of knowledge to this day.

c. Sultan Qalāwūn (r. 677/1279 -689/1290)

Sultan Qalāwūn is also known as Sultan King Al-Mansūr Sayf Al-Dīn Qalāwūn Al-Alfī. During his reign Sultan Qalāwūn became a great patron of architecture and constructed mosques, fortresses and other buildings in Cairo. Qalāwūn also established relations with many foreign countries in Europe, Africa and Asia.

d. Sultan Khalīl ibn Qalāwūn(r. 689/1290- 692/1293)

He Qalāwūn's son and successor. His full name was Muḥammad Al-Nāṣir. He reigned for nearly half a century, from 1294-1340, and was also a great patron of architecture.

The Mamlūk armies of Sultan Muḥammad Al-Nāṣir shocked the seemingly unstoppable Mongol armies by defeating them on the Syrian battlefield¹³⁷.

The descendants of Muḥammad Al-Nāṣir were weak and the Turkish Baḥrī Mamlūk dynasty gradually lost control of the sultanate which was seized by the Circassian Mamlūk Barqūq who established the Burjī Mamlūk dynasty, named after the Mamlūk

¹³⁶ Encyclopedia of the Orient Online, <http://lexicorient.com/e.o/baybars1.htm>.

¹³⁷ Encyclopedia of the Orient Online, <http://lexicorient.com/e.o/Khalil>.

garrison set beneath the Citadel in Cairo.

2.4.2. The Burjī Mamluk State (689/1382– 923/1517)

It was during the second half of the Burjī Mamluk reign that the author, al-Samhūdī was born, lived and died (see Table 2.4.2 below). His main interaction was with Sultan Qāyit Bāy al Zāhiri (872/1468 –910/ 1496). Therefore, the Burjī Mamlūk dynasty line will be looked at with more detail in the following sections.

The Burjī Mamlūks were also called the Circassian Mamlūks since most of them came from Caucasus. It was, in fact, the Bahri Sultan Qalāwūn who named these Mamlūks the 'Burjīs', after he extensively acquired them and housed them in the Citadel tower. Their number exceeded 3700 and they were introduced to the various administrative posts in his government.¹³⁸

From the Citadel tower, the Burjī Mamlūks ruled Egypt for approximately 135 years.¹³⁹ Four of them had a chance to reign for relatively long periods. These were Qāyit Bāy al Zāhiri (29 years), Qānsawh II al Ghawrī (17 years), Ashraf Bārsbāy (16 years) and Zāhir Shaqmaq/Jaqmaq (15 years). The rest had short- lived reigns, as these Mamlūks kept plotting against each other, locked in a ruthless and blood- thirsty struggle for power. It was Barqūq al Yalburghāwī who inaugurated the line of the Burjī Sultans in 648/1382 and Qānsawh II al Ghawrī was the last Burjī monarch who was defeated by the Ottomans in 922/1516.¹⁴⁰

138 Ibn Taghrī, B., *Mawrid al-Laṭāfah fī man wulliy al-Salṭanah wa al-Khilāfah*, Taḥqīq Nabīl M. Abd Al-ʿAzīz, Cairo, Dār al-Kutub al-Miṣriyyah, 1997, p.109.

139 Shākir, Maḥmūd, *Al-Tārīkh al-Islāmī*, 7/71.

140 Petry, Carl F., *Twilight of Majesty – The Reigns of The Mamluk Sultans al-Ashraf Qaytbay and Qansuh al-Ghawri in Egypt*, Seattle, London: University of Washington Press, 1993, p.18.

Table 2.4.2 Burjī Mamluks Timeline with integrated lifetime of the author (Al-Samhūdī)¹⁴¹ (*)

141 Synthesized from a number of sources, http://en.wikipedia.org/wiki/Burji_dynasty.
African Kingdoms, Islamic, Egypt,
<http://www.kessler-web.co.uk/History/KingListsAfrica/EgyptMamlukes2.htm>.

Burjī Mamluks Timeline (689/1382 – 923/1517)				
	Hijrī	Gregorian		
1	783-789	1382 – 1388	Barqūq al Yalburghāwī	First of the Circassian Burjīs.
2	789-792	1389 – 1390	Ḥājjī II	(Restored) (Last of the Baḥrīs)
3	792-801	1390 – 1399	Barqūq al Yalburghāwī	(Restored)
4	801-807	1399 – 1405	Faraj ibn Barqūq	
5	807	1405	‘Abd al ‘Azīz ibn Barqūq	
6	807-814	1405 – 1412	Faraj ibn Barqūq	(Restored)
7	808-814	1406 -1412	Al Musta‘īn	Assumed Caliphate of Egypt 1406 - 1414.
8	814-823	1412 – 1421	Shaykh al Maḥmūdī (al Zāhiri)	
9	823	1421	’Aḥmad II	
10	823	1421	Zāhir Tatār	
11	823-824	1421 – 1422	Muḥammad III	
12	824-841	1422 – 1438	Ashraf Bārsbāy	
13	841	1438	‘Azīz Jamāl Ibn Bārsbāy (Yūsuf)	
14	841-856	1438 – 1453	Zāhir Shaqmaq / Jaqmaq	Al-Samhūdī’s Birth in Safar, 844 AH./ July1440
15	856	1453	Manṣūr ‘Uthmān ibn Jaqmaq	Al-Samhūdī’s Lifetime
16	856-865	1453 – 1461	Ashraf Ināl al Zāhiri	
17	865	1461	Aḥmad III	
18	865-871	1461 – 1467	Khushqadām	
19	871	1467	Yālbāy	
20	871-872	1467 – 1468	Timurbughā	
21	872-901	1468 – 1496	Qāyrbāy al Zāhiri	
			<div> <div></div> <div></div> </div>	
			Al-Samhūdī’s main interaction was with Sultan Qāyrbāy ,first in Egypt then in Medina (884/1479)	

22	901-903	1496 – 1498	Muḥammad IV	
23	903-905	1498 – 1500	Qānsawh I	
24	905-906	1500 – 1501	Janbulāt	
25	906	1501	Tūmān Bāy I	
26	906-921	1501 – 1516	Qānsawh II al Ghūrī	Al-Samhūdī's Death on 28 th day of Dhū al-Qi'dah 911/ 28-11-1506
27	921-922	1516 – 1517	Tūmān Bāy II	
	922	1517	Egypt is conquered by Ottoman Empire under Selim I Yavuz. Line of Mamelūks continues until 1811.	

(*) Source: researcher's own compilation based on the sources presented in the preceding section

2.4.1.2. The main Burjī Mamlūk Sultans:

a. Barqūq al Yalburghāwī (r.784/801-1382/1399)

Al-Malik al-Zāhir Barqūq (died 801/ 1399, also spelled *Berkuk*, *Barkuk*) was the first Sultan of the Mamlūk Burjī dynasty.

Al-Zāhir Barqūq was bought by the Amir Yilbughā in 764/1362. He advanced himself into military positions during the reign of Al-Manşūr al-Qalāwūnī until he took charge of the army '*atabakiyah*'. When Sultan al-Ashraf Sha‘bān sent some of the Mamlūks out of Egypt, Barqūq was one of them. He was imprisoned in Karak for several years. He was then released and served Manjak, Vice-Regent of Syria in Damascus. Al-Zāhir Barqūq returned to Cairo after being pardoned by Sultan al-Ashraf Sha‘bān. He served the children of Sultan Sha‘bān, eventually becoming Amir *Tablakhāna*, or military band. In 779/1377, he took control of the affairs of state and in 784/1382, declared himself Sultan. He was ousted from power but returned a year later.

Sultan Al-Zāhir Barqūq's jurisdiction was extensive. The Friday prayers were read out in his name as far as Mardin and Mosul.

He was known to be brave. He was an excellent horseman and he loved horseback riding. His reign was also one of great prosperity and economic revival. He encouraged foreign traders, especially from the east. During his reign prices of eastern goods decreased. It was also a period of cultural and artistic revival.¹⁴²

b. Ashraf Bārsbāy (r. 824-841/1422-1438)

Al-Ashraf Abū Al-Nasr Barsbāy was a Circassian who was bought by a Jewish merchant and taken to Aleppo. There Al-Ashraf Barsbāy was bought by Amīr Jagmaq, who gave him to Sultan Barqūq. He was placed in the royal garrison at the Citadel. Al-Ashraf Barsbāy was manumitted and became part of the Jamdariyya. Later, he was transferred to the service of Sultan Al-Nāṣir Faraj. In the reign of Sultan Al-Mu'ayyad Shaykh he was given the title of Prince. Later he rose to become Vice-sultan of Tripoli in 821/1418.

In the reign of Sultan Al-Ṣāliḥ Muḥammad Ibn Tatār, he was appointed as Grand Dawadār, or inkwell holder, and became the Vice-sultan of Egypt. Al-Ashraf Barsbāy became sultan in AH 824/1422. He was very charitable. He stopped the practice of the transfer of land between rulers. He also stopped using the florin as currency. He began minting his own currency, known as Al-Ashrafiyya, which was purer. He tried to encourage the Florentines to mint their currency in Egypt.

¹⁴² Shākir, Maḥmūd, Al-Tārīkh al-Islāmī. 7/71.

c. Al-Zāhir Jaqmaq (r. 842-857/1437-1453)

Sayf Al-Dīn Jaqmaq, Al-`Ala'ī Al-Zāhirī (died 857 /1453). A Circassian Mamlūk of Sultan Barqūq, he served as commander-in-chief in Al-`Ashraf Barsbāy's state, then, the king's counselor during the reign of his son `Al-`Azīz Yūsuf. Rebel Mamlūks dethroned Al-`Aziz and set Jaqmaq in his. He controlled the state well and reigned until his death.

During his reign, he sent three expeditions to the Christian Rhodes Islands which ended with a treaty between the Mamlūk State and the Christians who pledged not to attack the Muslim ships operating in the Mediterranean.¹⁴³

d. Al-Ashraf Ināl (856-865/1453–1461)

Al-Ashraf Abū Al-Nasr Ināl al-Hasanī al-Zāhirī was a Mamluk of Circassian origin. He was taken from the Caucasus by the merchant `Alā' al-Dīn and sold to Sultan Barqūq.

Al-Ashraf Ināl later became one of the Mamluks of Sultan Barquq's son, Faraj. He rose in the ranks to become Amir of One Hundred, Commander of a Thousand under Sultan Barsbāy. He ousted Sultan `Uthmān Ibn Jaqmaq and became sultan. He reigned for eight years and two months. He passed away in 865/1461 at the age of 81. He had abdicated in favor of his son Shihāb Aḥmad¹⁴⁴.

Sultan Al-Ashraf Ināl was buried in the mausoleum of the complex he built in the Northern Cemetery. During his lifetime, he tried to restore the value of the gold dinar.

143 `Āshūr, S.A., Al-`Asr al-Mamālīk fī Miṣr wa al-Shām, 3rd Edition, p.182.

144 `Abd Al-Dāyīm, A.M., Miṣr fī `Asray al-Mamālīk wa al-`Uthmāniyyīn, pp.146-147.

or gold currency, which had plummeted in value in 800/1397. Sultan Al-Ashraf Ināl was generally known as a just, dependable ruler who had waged war on Ibrahīm Prince of Kirman who had conquered Tarsus and Adana.

e. Qāyrbāy al Zāhirī (r. 872-910/1468-1496)

Al-Ashraf Abu Al-Nasr Qāyrbāy was born in Kipchak on the Volga River in present-day Russia. He was bought by a slave merchant named Mahmūd Ibn Rustum. He was brought to Egypt in 839/1435 at the age of 13. He was bought by Sultan Barsbāy for his garrison at the Citadel. In the reign of Sultan Jaqmaq, he was manumitted and appointed Master of the Robes, then Khasqi, the emblem of sovereignty, and then Dawadār, or Chancellor. He rose in the ranks to become Commander of the Armies in 872/1467. In that year there was an uprising among the Mamlūk princes that resulted in the ousting of Sultan Al-Zāhir Tamurbughā from power.¹⁴⁵ The Abbasid Caliph Al-Mustanjid Bi Allāh swore allegiance to Qāyrbāy as Sultan, at which point Qāyrbāy burst into tears because he was afraid of being murdered by his princes. This was how Sultan Qāyrbāy came to power as ruler of Egypt and Syria. He reigned until his death in 901/1496. It was during his rule that Ottoman aspirations to take over Egypt began.

The half century immediately preceding his becoming the sultan was a period of political, economic, and artistic decline. He re-established the authority of the sultanate, stabilized the economy, and oversaw a revival of the arts. He fought sixteen military campaigns, but is best remembered for the spectacular buildings he left. His

145 Popper, W., *Egypt and Syria under the Circassian Sultans, 1382-1468 A.D: Systematic to Ibn Tagri-Birdi's chronicles of Egypt*, Berkely and Los Angeles 1955 84, No 6.

buildings graced Mecca, Medina, Jerusalem, Damascus and every quarter of Cairo.

His reign lasted approximately thirty years and was by far the longest among the Burjī Mamlūks. His wisdom and good management contributed greatly to the economic stability in the country and his numerous military victories over the Ottomans helped restore to the Mamlūk State its sovereignty and dignity. Internally, however, Qāyrbāy faced a number of rebellions and revolts such as the revolt of the Princes, and the revolt of the Arabs. He also came under some criticism from some scholars,¹⁴⁶ amongst whom was the author, al-Samhūdī who pointed out some wrong practices during his time. These will be highlighted in a subsequent section of this chapter, along with some important historical events cited by al-Samhūdī in his work.

Sultan Qāyrbāy was also known for his love for travelling. He undertook numerous journeys within the Shām region, to the area east of the Euphrates and to the sacred places in Hijāz and Palestine. Wherever he went, he built roads, bridges, mosques, schools and towers to commemorate his name.¹⁴⁷ One of his key architectural projects was his refurbishment of the Prophetic Mosque in Medina at the time of al-Samhūdī. The latter was greatly pleased with this achievement and praised the Sultan for his deed. (See section 1.6.3 above).

Qāyrbāy's love for and interest in architecture ranks him third after Sultan Baybars and Sultan Qalāwūn in terms of the number of architectural projects each one of them

146 ‘Abd Al-Tawwāb, A., M., Qāyrbāy al-Maḥmūdī, *Al-Hay’ah al-Miṣriyyah al-‘Āmmah li al-Kitāb*, 1978, p.97.

147 Ibn Iyās, Muḥammad ibn Aḥmad, *Badā’i’Zuhūr fī Waqā’i’ al-Duhūr*, PartIII, Cairo, Al-Hay’ah al-Miṣriyyah al-‘Āmmah li al-Kitāb, 1983, p.329.

carried out. As mentioned above, Qāyrbāy is best remembered for the spectacular buildings he left behind, key amongst which was his famous citadel in Alexandria, his schools in Dumyāt and Alexandria and his great citadel in Al-Rashīd.¹⁴⁸ In addition to all this was his commissioning of the sixth extension of the Prophetic Mosque in Medina (886-888 H).¹⁴⁹

Qāyrbāy's love for architecture and his zeal for public projects, however, caused his subjects a great deal of financial hardships.¹⁵⁰ His reign was known for the heavy taxes that he levied on his subjects to meet all these expenses. Al-Samhūdī had to deal with this phenomenon, when the Emir of Medina imposed heavy taxes on his subjects. Al-Samhūdī reported this to Sultan Qāyrbāy and was able to abolish them. (See 1.6.3 above)

Although, Qāyrbāy's reign was generally one of economic prosperity and political stability, it was not without problems. Apart from the revolts mentioned above, Egypt also saw under the rule of Qāyrbāy the spread of the plague which claimed the lives of tens of thousands of citizens, including one third of the total number of the then living Mamlūks and Qāyrbāy's own wife and daughter. The plague also resulted, as documented by Al-Samhūdī himself, in a steep rise in the prices of all commodities accompanied by a severe draught and the spread of another plague which affected the

148 'Uthmān, H., *Hā'ulā' Hakamū Miṣr Min Mīnā ilā Mubārak*, p.330.

149 www.islamonline.net/Arabic/Hajj/Antique/1425/27.shtml.

150 Vatikiotis, P.J., *The History of Modern Egypt From Muhammad Ali to Mubark*, London: fourth edition, Weidenfeld and Nicolson, 1991, p.21.

cattle and livestock.¹⁵¹

Another historian described the post plague situation in Egypt as follows:

'The villages of Egypt were engulfed in ruin and destruction. Economic affairs were stagnant, people's income and gains were very scarce. Complaints were rampant, almost everyone complained as a result of their bad situation. Diseases were rife and so was injustice, which was, like other sins, practiced on a large scale.'¹⁵²

As mentioned above, it was during Qāyrbāy's rule that Ottoman aspirations to take over Egypt began. This was exacerbated internally by the Sultan falling ill in the last days of the month of Ramaḍān 882/1477. There were rumors that Qāyrbāy died and chaos spread among his army commanders and his associates. Plots started being hatched by various parties to grab power for themselves. All this came to an end, when it was announced that Qāyrbāy had recovered.¹⁵³ Thus, Qāyrbāy continued to reign until his death in 901/1496.

f. Qānsawh II al Ghūrī (r.905-922/1499-1516)

Qānsawh Sayf Al-Dīn ibn `AbdAllāh was sultan of Egypt and Syria.

Sultan Qānsawh Al-Ghawrī was a Circassian Mamluk who started in the service of Sultan Qāyrbāy. He became Sultan in Shawwāl of 906/May 1501 very reluctantly. He

151 `Āshūr, S.A., *Al-`Aṣr al-Mamālīk fī Miṣr wa al-Shām*, p.188.

152 Ibid., p.188 (quoting al-Maqrīzī)

153 Petry, Carl F. *Protectors or Praetorians - The Last Mamluk Sultans and Egypt's Waning as a Great Power*, New York: State University of New York Press, 1994, p.79.

insisted on receiving guarantees and assurances from the Mamluk Princes, stating "I accept provided that you do not kill me; if you want to overthrow me, I will accept."

Sultan Al-Ghawrī brought stability and security to Cairo. He filled government posts with Mamluk princes that he could trust. He then addressed the financial crisis resulting from the bankruptcy of the treasury.¹⁵⁴

He was renowned for his grandeur and magnificence. His Mamluks, horses, jewels and kitchens were seen as the model for the Mamluk court. Sultan Al-Ghawri's literary gatherings were attended by poets, writers and scientists. He fought against

Sultan Selim I at Marj Dābiq near Aleppo where he was defeated and died of grief.¹⁵⁵

2.5. The Main Characteristics of life in the Mamluk State in Egypt

There is no doubt that life in the Mamluk period had many and varied characteristics, however the political and security aspects were the most prominent and exerted influence over all other spheres of life. We find that when government was stable, and security guaranteed, this resulted in a stable economy and also translated positively to other spheres of life.

It can be said that the most fitting description of the Mamluk period and defining term was encapsulated in the word “*‘asabiyyah*” or liege clan. The Mamluk period is one in which liege clan loyalty manifested itself very clearly. Each sultan surrounded himself with a liege clan of Mamluks, which he supported financially, and granted say in

154 ‘Āshūr, S.A..Al-‘Aṣr al-Mamālīk fī Miṣr wa al-Shām, p.189.

155 ‘Uthmān, Ḥ. Hā‘ulā’ Ḥakamū Miṣr Min Mīnā ilā Mubārak, pp.334-335.

affairs; taking great care to increase their numbers. The stronger his Mamluks or liegemen and the more numerous they were, the better able he was to confront the competition of the Princes, their plots, and to wrest authority from them. The fiercer the Sultan and greater the number of Mamluks he owned, the better able he was to extend his control, and restrict the other Mamluk clans; the opposite was also true. For that reason, Sultans placed great importance in buying as many child Mamluks as they could, to bring up, so that in the future they would be loyal soldiers or a significant number by which to maintain and extend authority.¹⁵⁶

Based on the foregoing, I will present the main features generally, of the Mamluk period, yet focusing on the second part of the period, that of the Burjī Mamluks. The most important features are the political, security, economic, social, civilisational, and religious.

2.5.1. Political life in the Mamluk period

The Mamluks appeared on the political and military scene as a military force formed by the Ayyubid State by buying children, and raising them as soldiers serving the Ayyubid state, both militarily and politically. The Mamluks -- from the very beginning of the Ayyubid state -- were well versed in the art of conspiracy, and through plotting and conspiring managed to rise to power. Following this path, their state proceeded, and when the Mamluks were in power, their plots took on a more local and internal character, between the Mamluks themselves in order to grab, or stay in power in face of many who were greedy enough to desire it.

The Bahrī Mamluks came to prominence, and gained stature in the midst of the events of the 7th crusade that was subsequently defeated in 648/1250, and ended with leader

¹⁵⁶ Taqqūsh, M. *Tārīkh al-Mamalik fī Miṣr wa Bilād al-Shām*, p.325.

of the campaign, King Louis IX, taken prisoner in al-Mansūrah.¹⁵⁷ his forces fled in disarray, many killed or taken prisoner. Ever since their victory over Louis IX, the Bahrī Mamlūks would often repeat the phrase (With our swords, we saved Egypt and Shām from the Firinja [the Europeans]).¹⁵⁸

When Al-Ṣāliḥ Ayyūb died, his son Ṭurānshāh ruled of Egypt after his father. However, he mistreated the Bahrī Mamluks. No sooner had he seen the defeat of the Crusaders in al-Mansūrah than he began to remove those influential persons in the State.¹⁵⁹ The Mamluks had no choice but to get rid of him, before he managed to get rid of them. They were successful in assassinating him in Farskor on the morning of Monday, 28 Muharram 648/2 May 1250. His death spelt the end of the Ayyubid State in Egypt, and the new age of the Mamlūks began.

The Mamluk Princes after the assassination of Turanshāh agreed to appoint Shajara al-Durr in his place.¹⁶⁰ Hence, Shajara al-Durr was one of the first of the Bahrī Mamluk Sultans to govern Egypt. Originally, "she was one of the concubines of the King Al-Ṣāliḥ Najm-al-Dīn. However, historians differed in specifying her origins,

157 For more details see: Ziyādah, Muḥammad Mustafa, *Hamlat Luwīs al-Tāsi' 'alā Miṣr wa Hazīmatuh fī al-Manṣūrah*, Cairo: 1961, pp.145-201.

158 Ibn Aybak al-Duwadārī, *Al-Durra al-Zakiyyah fī Akhbār al-Dawlah al-Turkiyah*, V. 8 of his yearbook "Kanz al-Durrar wa Jami' al-Ghurar, revised by Ulrich Harmann, Cairo, 1971, p.22.

159 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk* published by Dr. Ziyādah, volume 1, Cairo, p.358.

160 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, published by Dr. Ziyādah, volume 1, part 2, Cairo, 1376 /1957, p.361.

some said she was Turkish, others that she was Circassian, or Roman."¹⁶¹

With Shajara al-Durr installed, the Bahrī Mamluk State in Egypt was established. She ruled for 80 days, described by Al-Maqrīzī as "the first to govern Egypt of the Turk kings, were the Mamluks."¹⁶² She ingratiated herself with the people of State, granting them rank and estates, while reducing taxes on the people to win their hearts, and ruled over them in the best manner.¹⁶³

History reports that Shajara al-Durr was able to send armies to war and, "ruled in matters of state with iron fist. Her first and foremost concern was to rid herself of the remnants of the 7th Crusade;"¹⁶⁴ which if anything was evidence of her cleverness and cunning.

Perhaps "the first obstacle that faced Shajara al-Durr after assuming power was the French presence in Egypt, in the city of Damietta. For despite the fact that King Louis IX was a prisoner in al-Mansūrah, the French still presented a danger, since Damietta was in their hands. It was a [strategic] naval base that could be used in any attack against Egypt from the West. Therefore, Shajara al-Durr ordered Prince Ḥusām-al-Dīn to negotiate with the French. These negotiations led to King Louis IX being released in return for a ransom, and a French withdrawal from Egypt -- which was

161 'Ubayd al-Dabā'K, *Al-Mawsu'a al-'Arabiyah al-Muyasarah*, second edition, Beirut: Dār Nahdat Libnan li al-Tiba'ah wa al-Nashr, 1996, p.1076.

162 'Āshūr, S.A., *Al-'Asr al-Mamālīk fī Miṣr wa al-Shām*, Cairo: Dār al-Nahdah al-'Arabiyah, 1996, p.182, quoted from: Al-Maqrīzī.

163 Surūr, Muḥammad Jamal-al-Dīn, *Dawlat al-Dhāhir Baybrus fī Miṣr*, Cairo: Dār al-Fīkr al-'Arabī, 1993, p.32.

164 Qāsim, A.Q., *'Asr Salāṭīn al-Mamālīk fī al-Tārīkh al-Siyāsī wa al-'Ijtimā'ī*, 1st Edition, Cairo, 'Ayn li al-Dirāsāt wa al-Nashr wa al-Buḥūth al-Insāniyyah, 1996, p.128.

accomplished. After the French withdrew from Egypt, the second obstacle she faced was the objection of the Muslim world to a woman ruler. We find the great scholar, 'Izz-al-Dīn ibn Abd al- Salām, writing a treatise over what would afflict Muslims as a result of their being ruled by a woman. After which the Abbasid Caliph, Al-Musta'sim sent a message of rebuke to the people of Egypt: saying that if you have no men left to rule over you, then advise us and we shall send you a man;¹⁶⁵ so she married a Mamlūk called 'Izz-al-Dīn Aybak Al-Turkumanī.¹⁶⁶

In the interim, "the Abbasids were unhappy that a woman had ascended to the throne of Egypt,"¹⁶⁷ which led to many disputes between princes and leaders in Egypt and Shām. It was therefore imperative that Shajara al-Durr find a spouse. Of the Mamluk leaders, there was Aqtāy at the head of the Bahrī Mamluks, and Aybak leading the Sultani or Burjī Mamluks. Shajara al-Durr decided that her influence could continue with Aybak, leader of the Burjī Mamluks, compared to Aqtāy, who was a coarse murderer; so she married Aybak." Therefore, the Mamluks were now divided into two groups, one conspiring against the other.

History mentions that when King Aybak ascended to the throne of the land, the powerful Mamluk princes accepted him, since they believed that he was weak and could be removed easily, while the struggle over power was decided in favour of one of the more powerful Mamluks, namely Aqtay, Baybars, and Qalāwūn. The new Sultan of this newborn state had to face the Ayyūbid danger coming from al-Shām.

165 Jalal-al-Dīn al-Siyūti, *Husn al-Muhādarah fī Akhbār Miṣr wa al-Qāhirah*, 2/57.

166 Al-'Abbādī, A.M., *Fī Tārīkh al-Ayyūbiyin wa al-Mamalīk*, Beirut: al-Nahda al-'Arabiyyah, 1995, pp.109-110.

167 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, published by Dr. Ziyādah, Vol. 1, 2nd Ed., Part 1, Cairo: Lajnat al-Ta'līf wa al-Tarjama, 1956, p.326.

decisively. The Ayyubids had united under the banner of Al-Nāsir Yūsif, ruler of Aleppo and Damascus, intent on regaining Egypt from the Mamlūks, regarding them as the usurpers of the Ayyubid right to govern Egypt. They marched to Egypt and were met by Aybak's forces in battle, which ended with victory in his favour; Al-Nāsir Yūsif, fleeing with his men to al Shām.¹⁶⁸ This success led King Aybak to march on Shām in order to finish off Ayyubid opposition, however intervention by the Caliph Al-Mu'tasim Al-'Abbāsī brought the conflict between the two sides to an end, and peace was agreed between them in 651/1253. Under the terms of the treaty, Egypt and the southern part of Palestine, including Gaza, Jerusalem and the coastal lands would be given over to the rule of al-Mu'iz Aybak, while the lands of the Shām would remain in Ayyubid hands. This resolved the first obstacle in the path of establishment of the emerging Mamluk State in ending the dispute and conflict with the Kings of the Ayyubid household.¹⁶⁹ No sooner had Sultan Aybak overcome this hurdle, than he faced other problems on the internal front.

The first obstacle was a popular revolt staged by the Arabs in Al-Ṣa'īd, and Al-Sharqiyyah led by Ḥiṣn-al-Dīn Tha'lab, which threatened the land, and forced the Sultan to dispatch a military force led by Fāris-al-Dīn Aqtay to put it down, which he successfully did before it became a real danger.

The second obstacle: the increased power of the Bahrī Mamluks led by Fāris-al-Dīn Aqtay, especially after their success in achieving victories both in Egypt and abroad, which undermined the power of the Sultan. Their danger increased to such a degree that it threatened peoples' safety and security, and the Sultan himself was unable to

168 Qāsim 'Abdu Qāsim, 'Alī Sayyid 'Alī, op. cit. pp.129-130.

169 Ibid, p.130.

confront them or stop their open ridicule of him: Aqtay would insult the Sultan in his own court, calling him by his first name, and his ambition grew to take over the Sultanate, while his fellow Bahrī Mamluks began to call him the generous king.

The Sultan conscious of this danger, and fearful of the increase in Aqtāy's power, decided to get rid of him. He invited him to the citadel, on the pretext that he wished to consult him on matters of state, but there he had him killed on 3 Sha'ban 652/18 September 1254. This incident struck fear in the hearts of the leading Bahrī Mamluks, who swiftly fled the country, some of them seeking refuge with the Ayyubid kings in Shām, while others fled to the lands of the Seljuk Romans. Aybak pursued those still remaining in Egypt, and arrested them. He also wrote to the Kings to which the Mamluks had fled, warning them about these Mamluks and their treachery.¹⁷⁰

The assassination of Aqtay, cleared the way for Aybak and Shajara al-Durr, however they were soon in dispute. Shajara al-Durr was an ambitious woman who wished to rule independently, and considered her husband -- previously her subject -- there merely to execute her wishes, whereas Aybak, on his part, had resolved to free himself from her clutches, and assume power alone.

At the same time, when Shajara al-Durr learned that her husband, King, Al-Mu'iz, planned to marry the daughter of King Badr-al-Dīn Lu'lu', ruler of Mosul, their relationship soured, and she decided to rid herself of him. Five of her slaves attacked him, and beat him to death. However, she did not escape her deed and was arrested by those princes loyal to her murdered husband. She was thrown into solitary confinement, where she suffered torment and humiliation. Thereafter, the first wife of

¹⁷⁰ Ibid. p.132.

the murdered King, Umm ‘Ali, incited her son to kill Shajara al-Durr in revenge.¹⁷¹

Other sources, report that she was killed by slave girls, who beat her to death with their shoes.

After the murder of al-Mu‘iz Aybak, some Mamlūks sided with the son of their lord Aybak, Nūr-al-Dīn ‘Alī, who was 15 years old, and crowned him Sultan. However, when the Muslim East was threatened by the Mongol peril, which had overwhelmed Shām, and now Egypt was close to that danger, Qutuz, the vice-Sultan, removed the young Sultan, and took over, in order to confront the Mongol danger. He departed Egypt and met them in battle at ‘Ayn Jālūt.¹⁷² He achieved a historic victory on 16 Ramadan 658/1260, and expelled the Mongols from the region. He annexed Shām to the Mamluk Sultanate, which was now the dominant force, controlling both Egypt and Shām.

In summary, the Bahrī Mamluk period was renowned for the numerous plots and struggle over rule, which continued right to the end. The Burjī Mamluk period that followed was no better, and followed the same path.

The conspiratorial and plotting spirit rife in the Mamluk system, manifested itself after Qutuz’s victory over the Mongols, where

“the Bahrī Mamluks led by Baybars plotted revenge against him, for the murder of their master, Aqtāy. They murdered him on the road back to Egypt, and Baybars was named Sultan. Sultan Baybars consolidated the Mamluk kingdom, increasing its glory in Shām, Iraq, and Hijaz, while dealing with the

171 Ibn Taghrī Bardī, *Mawrid al-Latāfah fī man Wulliy al-Salṭanah wa al-Khilafah*, Taḥqīq Nabīl Muḥammad ‘Abd al ‘Azīz, Cairo: Dār al-Kutub al-Maṣriyyah, 1997, pp. 21-22.

172 Jamāl al-Dīn Al-Shayyāl, *Tārīkh Miṣr al-Islāmiyyah*, Cairo: Dār al-Ma‘ārif, 1967, pp.171-172.

As for the Burjī Mamluks, it is worthwhile to give an overview of the political and administrative organisation of the State at the time, before presenting the main features distinguishing the political and security scene.

Political posts in the Burjī Mamlūk State consisted of the Sultan, who was the real ruler. In Egypt at that time, in addition to the Mamlūk Sultans, there were the Caliphs of the Abbasid dynasty, yet they were at their weakest, and merely carried symbolic weight, with no real power over the Sultans. They only came to oversee the ascension of every new Sultan, symbolically receiving his allegiance, and granting him power to rule over the State.

Below the real ruler, there were senior officeholders, who helped the Sultan run affairs, starting with the Deputy-Sultan; he was considered the Sultan's agent, and right hand man, and also known as the second Sultan. This office was held by two men, one deputy in the presence, and the other in the absence of the Sultan. The latter being lower in rank; he presided over State affairs, when the Sultan was away in wars, or performing Hajj, etc...¹⁷⁴

Each Sultan had a Dawadār, a private secretary, who communicated messages on behalf of, and to the Sultan, deciding who was granted audience, and presenting the mail, if any.

Each Sultan would appoint for himself a private Clerk, who would read the letters to the Sultan, and responded to these in the law courts, signing on his behalf, and dealing

173 Qāsim A Qāsim, *Al-Ayyūbiyyūn wa al-Mamālīk-Al-Tārikh al-Siyāsī wa al-ʿAskarī*, 2nd Ed., pp.142-143.

174 Al-Qalqashandī, *Ṣubḥ Al-Aʿshā*, 1/17016.

with edicts issued, and proposed.¹⁷⁵

Four judges representing the four main Sunni schools of Fiqh were in residence at the judiciary. This was the politico-administrative perspective of the Mamlūk State. As for events, the Burjī Mamlūks contributed to the discord during the State ruled by Qalāwūn's children—or at the end of the Bahrī Mamlūk state, removing Bahrī Mamlūks. Some Bahrī Mamlūks plotted the murder of Al-Ashraf Khalīl ibn Qalāwūn, who had liberated Acre, and dismissed the last of Crusaders. Baydra murdered Al-Ashraf Khalīl, and declared himself Sultan, however this was not to continue for long, because the Burjī Mamlūks-followers of the Qalāwūn household- managed to kill Prince Baydra, and the conflict between the Burjī Mamlūks over who would become Sultan began. As usual, it was agreed that the youth, Muḥammad ibn Qalāwūn, would become ruler under the title of Al-Nāsir Muḥammad.

In this regard, historical records indicate that the deputy Sultan, Katabga, controlled Al-Nāsir Muḥammad, finally removing him and expelling him to Al-Karak in Jordan, and declaring himself Sultan in 694/1295. Katabga's ally, Prince Lajin, one of the killers of Al-Ashraf Khalīl ibn Qalāwūn, plotted successfully against him, and declared himself Sultan. He ruled until he was also killed by two Mamlūks of lesser rank. The two killers did not enjoy the support of the influential Princess and were consequently executed. It was agreed that Sultan Muḥammad ibn Qalāwūn would be returned to rule a second time (689-708).¹⁷⁶

175 Ibid, 4/30.

176 Al-Maqrīzī, Al-Sulūk, Vol. 1, pp.931-937. See also, Ibn Aybak, Kanz al-Durar, Vol. 8, pp.352-353.

However, Al-Nāsir Muḥammad ibn Qalāwūn for the second time around, once again fell into the clutches of two princes who controlled him, Baybars and Salar, and was not able to exercise power. He was forced to flee with his life to Al-Karak. Again, the Burjī Mamlūks continued to plot during the Bahrī Qalawūnī State, where the Circassian (Burjī) Mamlūks enjoyed privileges at the expense of the other Bahrī Mamlūk princes; their influence developed to the point where one of them, Al-Dhāhir Baybars Jashinkīr, ascended to become the first Burjī Sultan of the Bahrī State. However, his rule was short lived as the common people and his soldiers revolted, and Al-Nāsir was able to return and regained his throne, killing Baybars and Salar, and was able to rule independently until his death; after which came the precursors of the establishment of the Burjī Mamlūk State at the hands of Barqūq.¹⁷⁷

It is worth mentioning that Barqūq was able through a series of plots to establish the Burjī State. He also overcame many difficulties. At one time, he was removed from power, yet was able to return and prevail.¹⁷⁸

"The sons of Al-Nāsir Muhammad ibn Qalāwūn became mere puppets in the hands of the Burjī Princes, where the dispute finally came to a showdown between two powerful princes, Barakah and Barqūq, ending with victory for Barqūq over his competitor. Barakah promised in front of the four judges to not interfere in the affairs of state, and to leave that to Barqūq alone."¹⁷⁹

177 Qāsim, A.Q., *‘Aṣr Salāṭīn al-Mamālīk fī al-Tārīkh al-Siyāsī wa al-‘Ijtimā‘ī*, 1st Edition, Cairo, ‘Ayn li al-Dirāsāt wa al-Nashr, 1998, p.144.

178 Ibn Taghrī Bardī, *Mawrid al-Laṭāfah fī man Wulliy al-Saltānah wa al-Khilafah*, Taḥqīq Nabīl Muḥammad ‘Abd al ‘Azīz, Cairo: Dār al-Kutub al-Maṣriyyah, 1997, pp.108-117.

179 Qāsim, A.Q., *‘Aṣr Salāṭīn al-Mamālīk fī al-Tārīkh al-Siyāsī wa al-‘Ijtimā‘ī*, 1st Edition, Cairo, ‘Ayn li al-Dirāsāt wa al-Nashr, 1998, p.145.

Barqūq became the candidate of the Circassian (Burjī) Mamlūks to control the young Qalawūnī Sultan; however he became greedy, and wanted to remove the powerless Sultan and govern himself. Therefore he was afraid of his old competitor Barakah, so he had him arrested in Alexandria, ordering its governor to kill him in jail. The followers of Barakah revolted, so Barqūq claimed that the killing had been without to his knowledge, rendering the Governor of Alexandria to them, whom they killed, and were content with this.¹⁸⁰

It is worth mentioning that Barqūq now turned to matter of removing Sultan Ali, scion of the Qalawūnī household, however the common people and the soldiers supported the children of Qalawūn, but Barqūq was able to overcome this support with the help of his princes and aides. After which he turned against the princes who had helped him and got rid of them through killing, expulsion and arrested the Abbasid Caliph Al-Mutawakil¹⁸¹ who had taken advantage of the dispute between Barqūq and his princes to plot against Barqūq and seek to remove him. When Barqūq found out, he arrested the conspirators, including the Abbasid Caliph, imprisoning him and confiscating his possessions.¹⁸² In this way, Barqūq had guaranteed that he would be in sole charge, with no one to influence him, or to whom he owed any favours, since they had all been involved in conspiring against him.

However, Barqūq was foiled from where he least expected. Prince Yalbughā in Shām revolted against him, so Barqūq sent his loyal slave, Mintāsh at the head of an army to

180 Qāsim Abdu Qāsim, op. cit., p.145.

181 Qāsim Abdu Qāsim, op. cit., pp.144-146.

182 Taqqūsh, op. cit. p.358.

subdue him. However, Yalbughā managed to ally himself with Mintāsh to remove Barqūq. Mintāsh turned back with the army to Cairo to fight Barqūq, who did not have an army to defend himself, so he fled to Al-Karak. Mintāsh and Yalbughā entered Cairo, and the Sultan Prince Ḥajī ibn Al-Ashraf Shaʿban, grandchild of Muḥammad ibn Qalāwūn, was returned to the sultanate. But as was to be expected, disagreement flared between Mintāsh and Yalbughā, in which Mintāsh prevailed. During which time, Barqūq, escaped Al-Karak and joined by his supporters, raised an army with which he met his former slave, Mintāsh. Barqūq was victorious and returned to rule the sultanate for the second time in 797/1395.¹⁸³

Again Barqūq faced several plots against him, however he was able to prevail and consolidate the internal front, in order to confront the Mongols led by Timurlenk who was threatening the princes of Shām, and despite the fact that he did not clash with Timurlenk, his strategy was successful on both military and diplomatic grounds, forming an Islamic front in face of the fierce Mongol hordes.¹⁸⁴

Sultan Barqūq died in 801/1398¹⁸⁵, his son Sultan Faraj ruled after him in 801-808/1398-1405, and then from 808-815/1405-1412. His period in rule, alternating between fierce internal strife, and renewed Mongol threat. Timurlenk resumed his attacks on Shām, since he could see that the Islamic front established by Sultan Barqūq was now divided. Due to the preoccupation of the Mamlūks with their infighting, the land of Shām, especially Damascus and Aleppo suffered terribly from Timurlenk. Mamlūk infighting took the form of successive rebellions, most prominent

183 Ibn Thaghrī Bardī, op. cit. pp.110-111.

184 ʿĀshūr, S. Miṣr wa Al-Shām fī ʿAsr al-Ayyūbiyyin wa al-Mamalik, p.332.

185 Ibn al-ʿImād, Shadharāt al-Dhahab, volume 8, p.6-7.

was that of Prince Shaykh al-Mahmūdī, deputy of Tripoli, who forced Sultan Faraj to flee vacating the throne in 808/1405,¹⁸⁶ and despite the fact that he was able to return in the same year and destroy his competitors in Egypt, affairs remained unstable in Shām, where a new alliance against the Sultan between Nawrūz al-Hafīdī, the deputy of Shām and Shaykh al-Mahmūdī, deputy of Tripoli, was formed. The Sultan marched out to fight them in Shām, but they were able to defeat and capture him; he was executed in 815.¹⁸⁷ The rebels to prevent any dispute amongst them appointed the Caliph Al-Musta'īn bi-Allāh as Sultan in the period, he was Caliph in 808-816/1412-1416. However, Shaykh al-Mahmūdī soon removed him from the sultanate six months after, and took his place, sporting the title of al-Mu'ayyad.¹⁸⁸

The period of al-Mu'ayyad Shaykh al-Mahmūdī, 816-824/1412-1421, was the first period of relative peace in the Burjī Mamlūk state. He achieved military victories against the Turkmen in the North, and also reorganised the Mamlūk army.

This was followed by a period full of plots, dispute, and infighting among the princes that ended in Barsbāy coming to rule, which he exercised extremely competently for the following 16 years, 825-841/1422-1438. The lands during his rule witnessed internal stability, and external campaigns. He organised three campaigns against the island of Cyprus, and was able to subdue it in 829AH/1426CE.¹⁸⁹ He also made an alliance with the Ottomans and secured stability in the lands of Shām.

186 Ibn Ḥajar, *Anbāa' al-Ghamar*, volume 5, p.286-287.

187 Ibn Ḥajar, *Anbaa' al-Ghamar*, volume 7, p.89. Ibn Iyyās, *Badai' al-Zuhūr fī Waqai' al-Duhūr*, volume 1 part 2, p.820.

188 Ibn Iyyās, *Badai' al-Zuhūr fī Waqai' al-Duhūr*, volume 1 part 2, p.815.

189 Ibn Thaghri Bardī, *Al-Nujūm al-Zāhirah fī Akhbār Miṣr wa al-Qāhirah*, volume 14, p.292-302.

As for the Sultan, Sayf-al-Dīn Abu Sa'īd Jaqmaq, 842-857/1438-1453, his reign was stable internally, and politically moderate externally which encouraged him to follow in the footsteps of Bārsbāy in terms of Mediterranean policy. He organised several campaigns against the island of Rhodes, which ended with a peace treaty between the two parties. As for the Turkmen in the North, Sultan Jaqmaq took concrete steps to establish cordial and marriage relationships with them, as well as using diplomatic means, financial and moral contributions to protect the Muslims of Al-Andalus, and Abbysinia; he had a well-regarded international voice.¹⁹⁰ It is worth mentioning that al-Samhūdī was born in the last part of the reign of Sultan Jaqmaq in 844/1440.

After this period of relative stability, weak Sultans came to rule, and in their time, revolts and conflict over the throne were rife, with the exception of Sultan Abu Sa'īd Sayf-al-Dīn Khushqadām, 865-872/1460-1467, whose reign is considered one of the peaceful ones. After his death, the State did not see stability up until Qāyrbāy came to power, under the title, Al-Ashraf Abū al-Naṣr Qāyrbāy, ruling for 27 years, 872-901/1468-1496. He exerted great efforts in encouraging the cultural, scientific, and urbanisation movement in all parts of the State. He established schools in Mecca, Medina, and Al-Quds. He loved to travel, touring Egypt, visiting Damietta and Alexandria, then he visited Mecca, Jerusalem, and Damascus.¹⁹¹ In his time, the Ottomans appeared on the scene as a huge force looking to lead the Muslim world.

After the death of Sultan Qāyrbāy in 901/1496, strife and discord flared up once again, until Sultan Al-Ashraf Qānsawh al-Ghūri, 906-922/1500-1516 managed to take over the sultanate, consolidating his hold and reining in the influence of the princes.

¹⁹⁰ Dr. Tarqan, *Dawlat al-Mamalik al-Jarakissa*, p.146-159.

¹⁹¹ Ibn al-'Imād al-Hanbalī, *Shadharāt al-Dhahab*, volume 8, p.6-9.

He was wise, cunning, and ruthless. He subdued the princes, and broke any opposition such that his rule became strong and struck fear into hearts of others. Kings sent him gifts, like the King of India, Yemen, Morocco, the Romans and the Franks.¹⁹²

Sultan Al-Ghūrī attempted to confront the emerging Ottoman force, and prepared a massive army to repel the Ottoman army marching on Shām led by Salīm I. The Sultan himself undertook to lead the army. A huge battle was joined in Marj Dābiq, north of Aleppo. However, the Ottoman cannon was very powerful and ripped the Mamlūk army apart; the soldiers fled and Sultan Al-Ghūrī fell under the horses' hoofs; his remains were never recovered.¹⁹³

After having secured the lands of Shām, Salīm I, headed to Egypt, and entered Cairo after fierce skirmishes between him and the Mamlūks led by Al-Ashraf Tūmānbāy, 922-923/1516-1517, who had been chosen by the Mamlūks as their Sultan, after ascertaining that Al-Ghūrī had indeed perished.¹⁹⁴

Three days after the Ottomans entered Cairo, Al-Ashraf Taumanbay surrendered himself. The Ottoman Sultan had him hung and the body fixed over Zuwaila gate. This spelt the end of the Circassian State or the Burjī Mamlūk state, and Egypt came under the dominion of the Ottoman Sultanate.¹⁹⁵

192 Ibn al-‘Imād al-Hanbalī, *Shadharāt al-Dhahab*, volume 8, p.113-114. Also Al-Shawkanī, *Al-Badr al-Tālī*, volume 1, p.555.

Ibn Iyyās, *Badai’ al-Zuhūr fī Waqai’ al-Duhūr*, volume 5, p.69-71.

194 Ibid, volume 5, p.102-103. Also 194 Ibn al-‘Imād al-Hanbalī, *Shadharāt al-Dhahab*, volume 8, p.115.

195 Ibn Iyyās, *Badai’ al-Zuhūr fī Waqai’ al-Duhūr*, volume 1 part 2, p.820, volume 5, p.69-71. 195 Ibn al-‘Imād al-Hanbalī, *Shadharāt al-Dhahab*, volume 8, p.113-114.

From this brief summary of the second of Mamlūk State from its rise, up until its downfall, we note the following:

- **First:** political upheaval, which prevailed over most of the land of the State and especially towards the end of its days, was an important cause of its downfall and destruction. The conflict and struggle between the Mamlūk and princes was at a peak; some plotting and conspiring against the others. The greatest evidence of this upheaval was that more than half of the Sultans of this State had been removed from office; moreover some had been removed and then returned again, while others were killed. This may be assigned to the fact that the system of rule was hereditary and on clan lines, where Sultans would appoint their children to take over affairs after them, even if they were still too young, which resulted in the princes toying with, and conspiring against these young sultans in order to take over authority.
- **Second:** in addition to the internal strife, suffered by this State, it also faced external dangers, which sapped its energy, especially on the part of the Mongols and the Crusaders, followed by the emergence of the Ottomans as a force that in the end was able to destroy the Mamlūk state.
- **Third:** despite the upheaval, internal strife, external dangers witnessed by the second Mamlūk state; there were periods of relative stability during the times of some Sultans, which helped in the advancement of knowledge and the scientific movement, where scholars were able to carry out their varied scholarly roles, and confront the Mongol danger that was subsequently crushed, as well as fighting the Crusaders whose greed had been fuelled by this unstable political situation. In the midst of this, the great scholar, al-Samhūdī appeared. He was able to proceed in seeking knowledge, and writing books, despite the chaos and successive

upheavals. All this despite his personal circumstances: the death of his mother, his library burning down, and his travels from Cairo to Medina and Mecca, and the difficulties he faced in Medina when he wished to reside there.

2.5.2. Economic life in Egypt during Mamluk rule:

It can be said that economic life in the Mamlūk era depended on trade, industry, and agriculture. However, trade was by far the largest component of the Mamluk economy, since international trade would pass through its frontiers. European merchants would put into its ports to buy and sell, which brought huge returns to the state.

At the initial stages of the Bahrī Mamluk state,

"there were huge advances in the free trades, which made a huge impression on the Europeans, in terms of commercial and vocational life in Cairo in Mamluk times. It was said that the city of Cairo was a great city, containing 14,000 streets, and all its streets brimming with trade in a huge way".¹⁹⁶

It is worth noting that "the economic situation at the beginnings of the Bahrī Mamluk state was an extension of that in the Ayyubid period", where there were craftsmen working in the Sultan's workshops, or the workshops belonging to *Waqf* or religious endowments. At the same time, the government played a prominent role in trade and the workshops, especially the textile workshops,¹⁹⁷ while the number of specialised markets increased when compared to the Ayyubid period.

196 Simonova, L.A. *Salah al-Dīn wa al-Mamālik fī Miṣr*, translated by: Hasan Bayūmī. Moscow: Soviet Academy of Sciences, 1966, p. 238.

197 W. Fischel, *The Spice Trade in Mamluk Egypt*, JESHO, volume 1, 1958 part II, p.169.

The free trades saw advances during the Ayyubid period and the early Mamluk period, which paved the way for relative stability in the monetary system. There was little issue of money at the time; however the minting of copper coin in the period following that multiplied. Prices of essential products were largely stable in the period, and it is apparent in this regard that

"the available sources of money during the Mamlūk period were many. There are records on money that are available and full of information since the 19th century. The first guide on Mamluk coinage was published in 1964, and financial developments in the period of the Mamluks was more than had ever been seen at any other Islamic time in Egypt."¹⁹⁸

The developments in the free trades were very marked in Egyptian cities. The trades were supervised closely by the Sultan's administration that had the power to move the craftsmen from one neighbourhood to another whenever it wished, or even from one city to another, or force them to accomplish specific tasks. Therefore all the craftsmen in Cairo, on the orders of the Sultan Qalāwūn, were gathered to build a hospital.¹⁹⁹

The Sultan's employees would sometimes control the production of some craft products, prohibiting production, or ordering overproduction to swamp the markets. For example, in 749/1349, Minister Manjaq ordered the cobblers in Cairo not to produce a certain type of footwear, called "Mantuflī", to remove competition to the

198 Petry, Carl F., *The Cambridge History of Egypt*, volume 1: Islam at Egypt, 640-1517, London: Cambridge University Press, p.333.

199 Al-Maqrīzī, *Al-Khutāt*, Vol. 3, Cairo, p.271.

Sultan's workshop that was producing such a type of footwear.²⁰⁰

"It seemed that there were units of craftsmen that were quite simple and humble, set up in homes, each overseen by a foreman called *Shaykh al-Hirfah*. These foremen were not called upon to supervise production activities, rather they were considered government representatives for the general supervision of craft and commercial trades. Some of them were directly appointed by the government, in the same way as *Muhtasibs*, inspectors and their aides, who had the right to supervise the important cities."²⁰¹

From the start of the Mongol invasion of Baghdad, Egypt's role-as a centre for trade transiting between Asia, Africa and Europe - increased in importance. Egypt in the early Mamluk times consolidated its external trade relations, such that it became an important channel for goods.²⁰²

It seems that the general trend in Mamluk times was that of economic decline, especially during the time of the Circassian Mamluks, this worsened in the second half of the same period in the 15th century.²⁰³

It is worth noting that under the rule of the Burjī Mamluks, we find corruption rife in the ruling class. Even the Sultan's themselves had monopolised trade in certain essential goods, like pepper and sugar. Egypt at the time suffered endemic famine. In addition, when the inhabitants tried to rebel, they were usually subdued extremely forcefully. There were also attacks by the Bedouin on lands and farms, leaving behind

200 Ibid, pp.127-128.

201 Simonova, I.A. op. cit., pp.240-241.

202 Ibid., p.241.

203 Sa'd Aḥmad Sādiq, *Fī Du'w al-Namat al-Asyawi li al-Intaj: Tārīkh Miṣr al-Ijtimai' al-Iqtisadi Mundh al-'Ahd al-Fīr'auni ila 'Ahd al-Mamalīk*, Beirut: Dār Ibn Khaldūn, 1979, p.242.

destruction everywhere, in addition to the return of the plague. In addition to all that, there was the expansion in the Western world at that time, which had various effects: for example the discovery by Vasco de Gama, who discovered the navigation route around the Cape of Good Hope, which resulted in the trade in spices and tropical goods moving away - which formed one of the most important sources of national income - added to that was the closure by Portuguese and European ships of the seas and Arab coasts to Arab ships.²⁰⁴

From central Africa, and Morocco, merchants would bring yarn, wool, ivory, and gum Arabic, in addition to black slaves. As for silk and Chinese musk, this would come from China. The main trade was in spices from India.²⁰⁵

It seemed that in the period of the Circassian Mamluks, the Sultan Bārsbāy, had taken several measures to encourage trade, providing incentives for merchants to dock at ports belonging to the State; he reduced the fees to be paid by merchants landing in ports, extending his protection over merchants, and their goods, granting immunity from theft or plundering. He consolidated his relationships with the European states and cities, negotiating with them trade agreements that contributed to a revival of trade with them.²⁰⁶

These economic and fiscal measures led to the adoption of a new policy that aimed at earning the greatest amount of monies from the transit of goods, by adopting a policy of monopoly on local essential goods, which in turn led to higher prices, which led

204 Little ,Tom, Modern Egypt, London: Ernest Benn Ltd, 1967, p.25.

205 W. Fīschel, op. cit., p.169.

206 Aḥmad Tammam, Al-Ashraf Bārsbāy–Fātiḥ Qubruṣ fī Dhikrā Tawliyatih: 8 Rabi' Al-Awwal 825AH, Internet:www.islamonline.net.

European merchants to respond and attempt to remedy that situation.²⁰⁷

The Sultan Bārsbāy minted money that would be the basis of commercial dealings, and prohibited dealing in other coin, Venetian or Florentine, and also encouraging people to use his coin by raising its value such that it had greater purchasing power leading to its greater use. However the Sultan monopolised the trade in some goods like sugar, pepper, textiles coming from Mosul and Baalbek, which led to higher prices, and people suffered in buying these commodities.²⁰⁸

In 1403, "pirates from Western Europe plundered the city of Alexandria, while the Bedouin also attacked the southern cities. At that time there was an important development in personal ownership of agricultural land, which led to a sharp fall in the Treasury income from agricultural taxes, which made the city the main source of government income."²⁰⁹

The tax policy of the Circassian Mamluks Sultans towards the city inhabitants was extremely brutal when compared with the Ayyubid period or the early Mamluk times, especially in the times of Sultans; Lajin, Qalāwūn, and Baybars. It was well-known that a number of taxes had been abolished, and that the Sultan Al-Nāsir Muḥammad had established a highly important tax reform regime that was so comprehensive that it could not be compared except with the tax reform established by Salāḥ al-Dīn al-Ayyūbī.²¹⁰

207 Bernard Lewis, *The Middle East: 2000 years of history from the rise of Christianity to the present-day*, Phoenix Giant, 1995, p.106.

208 Aḥmad Tammām, *op. cit.*

209 Simonova, LA. *op. cit.*, p.242.

210 Ibn Khuldūn, *Al-Muqadimah*, Beirut: Dār al-Qalam, 1968, p.249.

It was known then that "abolishing the only tax worthy of consideration in the late Mamluk period was during the rule of the Sultan Al-Zāhir Barqūq in 792/1390, when he ascended to the throne the second time. However, the Sultan Al-Nāsir Faraj was quick to re-institute those abolished taxes, and even increased them in 802/1400, on the pretext of financing the battalions in Syria, fighting against Timurlenk.²¹¹

It is worth noting that "Sultan Bārsbāy (1422-1438), had attempted to assume control of commercial dealings in his kingdom, however this had negative effect on trade activities. After that, Bārsbāy launched successful naval campaigns against Cyprus, and his concern also included agriculture, where he ordered the digging of Al-Khalīj al-Nāṣirī after it had virtually silted up. He also built bridges, canals and repaired what had become dilapidated. Because of this care, harvests did not suffer lack of water throughout the time of his rule.²¹²

As for Sultan Qāyrbāy, he made it his concern to establish canals, and build bridge dams to hold the Nile waters, and regulate these to allow cultivation of land, and allow the gathering of taxes. At times when the Nile level fell sharply, during his rule, this had a great influence in raising prices.²¹³

It can be said that since the navigation route around Africa was discovered, the major merchants trading in spices would use it and from there on to Lisbon. Each year, less and less ships were sent to Egypt. Hence, late Mamluk economic policy led to weak trade relations with the countries of the East and West. Western traders refused to berth in the ports of Alexandria, Damietta or others, due to the many restrictions, that

211 Simonova, LA, op. cit., pp.242-243.

212 Aḥmad Tammām, op. cit.

213 Abd al Tawwāb A Mahmūd, Qāyrbāy al-Mahmūdī, p.119.

led to rising recession. Faced with the situation of economic deterioration, and increasing popular anger, the Turkish Ottoman army defeated al-Shaykh Ismā'īl, Egypt's ally in Syria, and crossed the Syrian border advancing towards Egypt. A decisive battle was fought in Marj Dābiq, north of Egypt's, on 24 August 922/1516.²¹⁴

It was clear that the greater driver of higher prices, and the upheaval in the land was the change of currency. The people suffered much in the process of that change. Many times, they waited to see the Sultan Qāyṭbāy, who was afraid of them, and avoided them by travelling to the citadel through the cemetery in order not to meet them in Cairo.

In 873/1468, the new coin was announced at 24 per pound, whereas it had been 36. In 879/1474, Sultan Qāyṭbāy minted a new coin, and the old coin was valued at 24 per pound, whereupon, people lost a third of their wealth.²¹⁵

Furthermore, with the widespread counterfeiting of money which led to economic destruction during the Burjī Mamluk period, there were confrontations between the inhabitants and representatives of the government Administration. In 859/1455, the inhabitants of Cairo pelted the Sultan's employees with stones, especially, the Muḥtasib, Chief Inspector himself. This was for the high bread prices. It is reported that they took the inspector's valuable ring and luxurious shawl. In 886/1481, the inhabitants of Aleppo killed the Citadel Commander and its Judge.²¹⁶

It is worth noting that Al-Samhūdī in his works described the situation of the Inspector in his time. He also mentioned how people dealt with inspectors. He

²¹⁴ Simonova, L.A. op. cit., p.244.

²¹⁵ Abd al Tawwab A Mahmud, Qaytbay al-Mahmudi, p.133.

²¹⁶ Simonova, L.A, op. cit, p. 244.

reported that the inspector in his time had become an employee who was dishonest, and did not fear Allah. He said that treachery, accepting bribes, monopoly of some goods leading to higher prices had all been seen perpetrated by inspectors. Al-Samhūdī said that there were people who had gone hungry, and died because of the high prices.

It seems that some historians agreed with Al-Samhūdī in his description, when he said that the Mamlūk period saw widespread corruption, bribery, monopoly over goods and essentials, nepotism on the part of Princes and persons of influence in appointing to high public office, among these the post of inspector or *Muhtasib* in order to serve their interests.²¹⁷

At the end of the Mamluk period, competition over the post of *Muhtasib* was fierce, and included bribery.²¹⁸

Bribery became the rule in assuming the post of *Muhtasib*, and whoever paid more would be given the job.²¹⁹

Collecting tax became one of the major problems that led to the decline in economic situation, and protest by the people.

In 886/1481, the poor in the city of Cairo attacked Judge Aḥmad Shihāb-al-Dīn, who gave the Sultan Qāyrbāy a fatwa relating to his right to collect the tax on ownership in the city two months before their due date. This judge had to escape to Mecca, and remained there until people had quieted down. In 912/1506, the inhabitants of

217 Al-Maqrīzī, *Ighathat al-Ummah bi Kashf al-Ghummah*, p.43.

218 Abu Zayd, Sihām, *Al-Hisbah fī Miṣr al-Islāmiyyah*, p.94.

219 *ibid.*, pp.97-101.

Damascus expelled the deputy Sultan from their city.²²⁰

The situation escalated from bad to worse, since there was a permanent need to supply the war campaigns in face of the Mongols; this became the main source provoking and widening this disgruntlement. In 891/1486, Sultan Qāytbāy ordered that the rich merchants in Cairo's markets be summoned, and despite their remonstrations, 12,000 Dīnars were collected for the war effort.²²¹

In 879/1492, taxes were collected in the city of Cairo, two months before they were due. In the same year, taxes were collected in Damascus five months before they were due. In 884/1496, a unified tax was declared in all the lands to be collected every five months.

In 886/1498, tax was collected several times from craftsmen, and traders. This was in the time of Sultan Al-Nāsir Muḥammad. As for the period of Al-Ashraf Junblāt, in 908/1501, cash sums were confiscated from Jews, Christians, and merchants for the second time. In 912/1505, taxes on property were collected eight months before they were due on the orders of the Sultan Qānsawh al-Ghūrī. In 920/1514, taxes were collected from all the inhabitants of Damascus, Aleppo, Hama, Safad, and Tripoli, on the pretext that the fighting forces were in need. The following year, the same taxes were collected for the same reason.²²²

The state of poor city dwellers became ever more desperate, due to the atrocities committed by the Mamluks and their aides.²²³

²²⁰ Simonova, I.A. *op. cit.*, p.244.

²²¹ *Ibid.*, p.243.

²²² *Ibid.*, p.243.

²²³ Atiya, R. *The Crusade in the Later Middle Ages*, London: 1958, pp.275-277.

An example of this, Sultan Qānsawh al-Ghūrī declared that no living being, whether from the citizenry, or merchant would have the temerity to insult one of the Sultan's Mamluks; if one of them were to touch the reins of the horse of a passing Mamluk, then his hand would be cut off. After this edict, the Mamluks appeared in Cairo's markets snatching whatever took their fancy, and no one could prevent them... after this, people were greatly depressed and saddened.²²⁴

The dependence by many Mamluk princes in Syria and Palestine on taxes that they collected from Bedouin, Turkmen, and citizens resident in these lands, as their only source of income, led to revolts by the inhabitants against the Mamluks. This led to great strife, which in the end led to the majority of historians pointing out that the Mamluk State in its final days had been reduced to a third of its size compared to its grand beginnings.²²⁵

It would seem that economic factors were not the main cause of the downfall of the Mamlūk State, and of their weakness in face of the Ottomans. Rather there were other factors and internal problems that led to their rule coming to an end at the beginning of the 16th century. Added to that, the Ottomans possessed one of the most powerful armies, well armed and trained, in the area east of the Mediterranean at the time.²²⁶

In summary, charging high taxes, and rising prices was the main reason in the weakening of the Circassian Mamluk State economy. In addition, the rude policies of the rulers, and their monopoly over some agricultural products, like grain, and cotton

224 Simonova, I.A, op. cit., p.244.

225 George E. Kirk, A Short history of the Middle East, sixth edition, London: Metheun, University paperbacks, 1961, pp.53-54.

226 Robert Fossier, The Cambridge Illustrated History of the Middle Ages, volume 3, 1250-1520, translated by Sarah Hambly tension, New York: Cambridge University Press, 1987, p.274.

led to weakness in agricultural resources for the Mamluk people.²²⁷ It is well known that political instability naturally leads to a state of economic decline. This is what happened at the end of the Mamluk state due to the many conflicts amongst the Sultans; each Sultan charging taxes through which to buy weapons and prepare armies in order to achieve his own ends.

2.5.3. Social life in Egypt during Mamlūk rule

No doubt that there were fundamental changes in the social fabric during Ayyubid and Mamluk times.

The structure of the Mamluk State generally depended, no doubt on the subjugation of the majority by the controlling Mamluk minority.²²⁸

2.5.3.1. Social Ties

Following the social ties, that united the Mamluks, you find that in the time of the Bahrī Mamluks the strongest of ties amongst the Mamluks appeared -- which is the bond of Mentor -- this most closely resembled the relationship between the master Mentor and his slaves, whom he had bought and had overseen in their upbringing and training, giving them full attention and welfare. The master would eat his food with his Mamluks, and take great pains to sit with them and strengthen the bond between him and them in order to guarantee their loyalty.²²⁹

It could be said that the mentor-student relationship that underscored the personal loyalty between the master and his Mamluks, required that the master looked after his

227 Simonova, LA, op. cit., p.246.

228 James Jankowski, Egypt's Short History, England: One World, 2000 p.52.

229 Qāsim 'Abdu Qāsim, op. cit., p.28.

Mamluks, spent on them, while their duty towards him was to protect him, preserve his throne, and defend his family. Therefore this relationship had become the ideal social tool in order to achieve the feeling of security by the Mamluks throughout their lives, which were governed by bloody competition.

There was also another relationship, that of camaraderie, which is that bond that united the Mamluks into a single clan. It is no wonder that the members of this class who were bought as slaves in their childhood had all been raised together and lived in the same circumstances. On the other hand, they were strangers to the society that they were required to fight in defence of, and since their roots were entrenched in another soil far away, from where they had been uprooted, they lacked the sense of belonging to the society, where they lived on the margins, and felt no ties to it.²³⁰

It is worth noting that in the Circassian Mamluk times (Burjī), the mentor relationship was greatly changed and weakened.²³¹

Perhaps the reasons for this change can be found in an evolution in the system for raising Mamluk's in Circassian times, which weakened the very basis on which the Mamluk political system was established. Sultans and Princes rather than acquiring Mamluks at a very young age- who as children were then subjected to a strict system of preparation and training - they acquired youths, Mamluks past puberty, who were known as "*al-Julbān*" or (*al-Ajlāb*.)²³²

The natural result of this development was that the mentor relationship between Mamluks and their master, who had brought them up and trained them from an early

230 *ibid*, p.140.

231 *Ibid*, p.146.

232 Ibn Iyyās, *Badai' al-Zuhūr fī Waqai' al-Duhūr*. Volume 3, p.82.

age, was weakened. This also affected the camaraderie that united the Mamluks within the clan.²³³

On the other hand, the control by princes and sultans over these Mamluks was weakened, leading to many incidents of unrest, and street fighting, which the streets of Cairo and its alleyways were the scene for.²³⁴

2.5.3.2. Social Classes

There have been various classifications of Mamluk Society. Some historians subdivided society into Sultan and subjects, where the Sultan meant the ruling Mamluk system, and those who moved in its orbit. As for the subjects, this meant all the inhabitants and all their classes and groups. The relationship between Sultan and his subjects was not established on the basis of mutual rights and responsibilities.²³⁵

Some other observers said that society in the Mamluk times was a society made up of several classes each distinct from the other in terms of characteristics, description, and appearance.²³⁶ According to the latter classification, society in Mamluk Sultan times was divided into seven classes. The first consisted of people of the State; the second those endowed with wealth, the merchants or otherwise; the third, sellers who were traders of middling circumstances, called "*Aṣḥāb al-Burr*, including market people; fourth, agricultural workers, inhabitants of the rural areas and villages; fifth, the poor including the majority of scholars and students of knowledge; sixth, craftsmen;

²³³ Ibid, p.82.

²³⁴ Al-Qalqashandī, *Ṣubḥ al-Aʿshā fī Ṣināʾat al-Inshāʾ*, volume 4, pp.61-63.

²³⁵ Ibn Khaldūn, op. cit., p.183.

²³⁶ ʿAshūr S, *AlʿAsr al-Mamālīkī fī Miṣr wa al-Shām*, p.320.

seventh, the poor and needy who survived by begging.²³⁷

If we consider this classification carefully, we find the first-class whom Al-Maqrīzī called (people of the State) included the Mamlūk Sultans, princes, soldiers; this is a class that had all the privileges of society, owning palaces, property, and farms, and enjoyed a life of ease and luxury. The Sultans looked after their Mamluks very well, and took great care in raising them properly, teaching them the Noble Qur'ān, writing, and the rulings of Islam. They spent on them generously, and treated them as a father, with warmth and compassion; providing the tastiest of fruit and drink.²³⁸ At puberty, they would teach them the arts of war and horsemanship, which was the main task for which they had been bought. No wonder that this group was in the first class of the social order in the Mamluk times. It was natural in a State whose system was based on militarism, preparation for fighting, and interest in horsemanship.²³⁹

Noteworthy, that this class in addition to Mamluks -- who were the people in power -- included holders of public office; ministers, clerks, and judges, who were generally natives of the land.

As for merchants and traders - the second-class - they formed a class that was brought close to the Sultans, who felt the importance of merchants more than others, since they formed the essential source of finance during times of difficulty and need. Merchants during that time enjoyed huge wealth, and were helped in this by Egypt's location as a crossroads for trade between East and West.²⁴⁰

237 Al-Maqrīzī, *Ighathat al-Ummah bi Kashf al-Ghummah*, p.21.

238 'Āshūr S., *Al-Mujtama' al-Miṣrī fī 'Asr Salāṭīn al-Mamālīk*, p.11-15.

239 Salām, M.Z *Al-Adab fī al-'Asr al-Mamlūkī*, volume 1, p.47.

240 'Āshūr S., *Al'Asr al-Mamālīkī fī Miṣr wa al-Shām*, p.324.

As for those in the remaining classes -- sellers, farmers, craftsmen, they were less well off; rather some of them lived a life of hardship and difficulty compared to the Mamluks and others in the rich classes.²⁴¹

It is strange that the fifth class – the poor – was reported to include the majority of scholars, and students of knowledge. From this, it would be understood that scholars, jurists, and students at the time were poor and needy. This contrasts with the narration in the historical sources -- and that were written at the time -- where we find that scholars, and jurists enjoyed a great measure of support and welfare from the Mamluk Sultans. The Sultans were extremely generous to scholars and jurists regaling them with gifts and grants, while setting up many endowments directed towards schools, teachers and students. It would seem that the Mamlūks had always felt "strangers" in the land, and therefore needed a support on which to base their rule and which they could call on in order to quell people's disquiet, which they found in the scholars due to the power, and respect they commanded. So they respected them and gave them status, which is what we mentioned in the first chapter relating to the relationship of Al-Samhūdī with the Princes and Sultans. We find that Al-Samhūdī enjoyed a position of respect among the Sultans whether in Egypt or in Medina. It could be said that this position enjoyed by the scholars in the Burjī Mamluk times did not prevent some Sultans or Princes from oppressing them, exposing them to criticism, ridicule, or restriction at times.²⁴²

2.5.3.3. Status of Women in Mamluk Society

241 Ashūr S, *Al-Mujtama' al-Misri fī 'Asr Salātīn al-Mamalik*, p.37-38.

242 'Ashūr S, *Al'Asr al-Mamālīkī fī Misr wa al-Shām*, p.323-324.

As for the status of women in Mamluk times, they enjoyed the respect of society, and were given respectful titles like "*Sit al-Mulūk*", Lady of Kings or "*Sit al-Kull*", lady of all. There were a number of cultured ladies, who exercised a positive social existence by which they gained such respect. The status of women, and their active role knowledge-wise was a catalyst for their role to be acknowledged and gain the respect of the people, as well as the Mamluks themselves. Women engaged in teaching, and set up salons of knowledge; books of biography written at that time are full of many names of those women, many of whom attained a high level in seeking knowledge, and being taught by the great thinkers of the time like Al-Sakhāwī, al-Siyūti, and others. Social life during Burjī Mamluk times was distinguished by the prevalence of festivals and celebrations like the Sultan's ascension, and others. People would exchange felicitations, prepare banquets, and give to charity, while showing great happiness.²⁴³ The Sultans made a point of creating many and varied social establishments.

In conclusion we may say that the Mamluk society was a multi-ethnic one, shared by newcomers who ruled, and the original inhabitants who were subject to the authority of the immigrant Mamluks.

2.5.4. Cultural and Scientific Life:

Al-Samhūdī, like other scholars, was influenced by the flourishing scientific and intellectual life during the Burjī Mamluk time. This great civilisational impetus seen by the State was reflected in his life. In addition, through living with the cultured class, and studying under its leading pioneers and Shaykhs, he became one of the

²⁴³ Al-Sakhāwī, *Al-Tibr al-Masbūk*, p.13-14.

distinguished personalities of his time, as was mentioned in his biography in the first chapter. Therefore, it is important to present -- even briefly -- the features of the cultural and scientific movement in that State, and clarify the reasons why it flourished.

Historical sources are almost unanimous in stating that Egypt under Mamluk rule witnessed a healthy intellectual movement, and a scientific renaissance. Cairo became a beacon drawing scholars and educated persons to it, while spreading civilisation and knowledge to the various lands. This scientific movement was not restricted to any branch of science or knowledge, rather all cultural, religious, philosophical, theoretical and practical branches were represented, working together in harmony to form a cultural and scientific life that was an exemplary model of scientific advance and flourishing civilisation.

If Mamluk life was negatively distinguished by violent struggle over power in the political aspect; this was a civilising driving force, because of the competition between Princes and Sultans, each intent on leaving a legacy for posterity, and highlight what they could achieve with the means at their disposal, while they were in power or seeking it. If we take into consideration, the huge material resources enjoyed by the Sultans, we can understand how Islamic culture flourished -- in their time -- which allowed it to compensate for the catastrophes suffered whether at the hands of the Mongols in Iraq and Shām, or at the hands of the Christians in Al-Andalus, Spain.²⁴⁴

Academies of various types took the burden of spurring this huge scientific and cultural activity, and enjoying wide growth. The number of schools and teachers

²⁴⁴ Ashūr S, *Al-Mujtama' al-Misri fi 'Asr Salatin al-Mamalik*, p.141.



increased, and students from everywhere came to study there. Schools in Egypt were beyond count due to the huge number.²⁴⁵ in addition to the mosques and "*Zāwiyahs*", which were places of teaching and learning that were so numerous. Each of these places brimmed with Imams, orators, jurists, teachers, and students.²⁴⁶

It can be said that the learning in these schools and mosques were the true representation of the extent in which life in the knowledge realm was full of vitality and activity. The large mosques with long history in knowledge regained importance at the hands of the Mamluk Sultans, and gained leadership in the cultural and knowledge spheres. It is well-known that 'Amr ibn al-'Āṣ Mosque in the first half of the Eighth Hijri century hosted more than 40 circles for teaching. It contained seven *Zāwiyahs* for teaching *Fiqh*, and Qur'ān recitation.²⁴⁷ Aḥmad ibn Tūlūn Mosque regained into vitality at the hands of the Sultan Al-Manṣūr Ḥusām-al-Dīn Lajin (696-698), after he refurbished it and ordered that classes in *Fiqh*, Ḥadīth, Qur'ān, and medicine be held in it. Later he added a library dedicated to memorisation of Qur'ān.²⁴⁸

As for the grand mosque of Al-Azhar whose role had declined, and was neglected after the fall of the Fatimid Caliphate, it remained in disuse throughout the Ayyubid period until it fell into such disrepair that it was in danger of falling apart. However, it was revived and took on a leading role as the largest Islamic University in the rule of Sultan Al-Zāhir Rukn-al-Dīn Baybars (658-676), who commanded that it be

245 Ibn Battūṭah, *Rihlāt Ibn Battūṭah*, p.37.

246 Ibn Aybak al-Dawadārī, *Kanz al-Durar wa Jami' al-Ghurar*, volume 9, p.391.

247 Al-Maqrīzī, *Al-Mawā'iz wa al-I'tibār*, volume 2, p.255-256.

248 Ibn Daghmān, *Al-Intisar bi Wasīṭat 'Aqd al-Amṣār*, volume 4, p.124. Also Al-Maghrīzī, *Al-Sulūk*, volume 1 part 3, p.827.

refurbished and renewed. He breathed new life into it by opening it up for learning and prayer in 665, and installed jurists, scholars of Ḥadīth, teachers and orators,²⁴⁹ making it a huge beacon of knowledge, attracting teachers and students from all directions. It seems that knowledge in Al-Azhar was enriched by the presence of a class of people, from abroad, Morocco or farther afield, and persons coming from the rural areas to Cairo, seeking knowledge. Each had a place dedicated to them that was filled with the recitation of Qur'ān, learning and teaching, in addition to various types of sciences like Fiqh, and grammar; listening to Ḥadīth, and holding sittings for admonishment, those people living in and around Al-Azhar numbered 750 individuals.²⁵⁰

This intellectual activity spread to all corners of the land, north and south. Perhaps the traveller, Ibn Baṭṭūṭah offered the best testimony to this renaissance seen in the Egyptian lands. He recorded what he saw during his visit to Egypt in 726/1326, and spoke of Alexandria and its scholars, describing its various mosques and schools. He portrayed to us the shining image of the flourishing state of the sciences seen in the different countries, in addition to the tens of mosques and schools and other institutes, jostling together in Cairo and al-Fustat, founded by Mamlūk Sultans and Princes.²⁵¹

As a result of this intellectual renaissance, hundreds of scholars rose to fame in the different areas of knowledge. These scholars authored huge tomes, such that the Mamluk period became distinguished as the age of encyclopaedias in the different areas of intellectual discourse: religion, literature, administration, geography, history,

249 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, volume 1 part 2, p.556.

250 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, volume 1 part 1, p.323-324.

251 Ibn Baṭṭūṭah, *Rihlāt Ibn Baṭṭūṭah*, p.37 p.20-21, 33-35, 50-52.

language, and grammar.²⁵²

The scientific publishing movement attracted the attention of other States, who followed closely what was produced and strived to acquire new works. It is narrated that in 833/1430, Shāh Rukh ibn Timūr, king of the Mongols, sent for, and requested a copy of the explanation of Imam al-Bukhari's book of Ḥadīth, written by Chief Judge Shahab-al-Dīn ibn Ḥajar, and *Al-Sulūk li Ma'rifat Duwal al-Mulūk* by al-Maqrīzī, which is the greatest evidence of the fame gained by this cultural movement and its wide influence.²⁵³

The intellectual and cultural movement of the time was marked by diversity, and did not stop at theoretical studies alone, but included the scientific and practical spheres like medicine, engineering, war, and art in all its forms. We find that Aḥmad ibn Tūlūn mosque in Mamluk times was a place where Fiqh, Ḥadīth, Qur'ān, and medicine were taught.²⁵⁴

In Mamluk times, schools and colleges were built to teach people; medicine, philosophy, art, and applied and mathematical sciences.

It can be said that there was a number of reasons that played a role in the advancement of this scientific cultural movement in the Mamluk state, especially its capital Egypt.

After the fall of the Abbasid Caliphate in Baghdad at the hands of the Mongols, the

252 Example of those scholars are: Ibn Daqīq al-ʿĪd, al-Balqīnī, al-Maqrīzī, al-ʿAynī, Al-Sakhāwī, al-Qalqashandī, al-Nuwayrī, al-Ḍāmīrī, ibn Taghrī Bardī, al-Siyūti, al-Nawawī, ibn Taymiyah, al-ʿIzz ibn Abd al Salām, ibn al-Qayyim al-Jawziyyah, al-Mazzī, ibn Ḥajar al-ʿAsqalānī, al-Dhahabī, ibn Kathīr, ibn Qudāmah, Zakariyyah al-Anṣārī, Tāj-al-Dīn al-Subkī, al-Samhūdī and others.

253 Aḥmad Shalabī, *Mawsūʿat al-Tārikh al-Islāmī wa al-Ḥaḍārah al-Islāmiyyah*, volume 5, p.245.

254 Ibn Daghmagh, op. cit., volume 4, p.124.

Abbasid Caliph took refuge in Cairo. Sultan Al-Zāhir Baybars (658-676/) received the fleeing Abbasid Prince Abu al-Qāsim Aḥmad ibn al-Zāhir ibn al-Nāsir. He summoned the princes, judges, scholars and notables in the State, who testified that the Prince's lineage went back to Banī al-'Abbās, and so he was given their allegiance as Caliph, after which Egypt became the seat of the caliphate, which increased its stature, and it became the dwelling of scholars, notables, and the destination for many.²⁵⁵

Moreover, it became the centre for scientific and religious activity in the Muslim world.²⁵⁶ One of the reasons that also led to such flourishing status was the patronage afforded by the Mamluk Sultans to this intellectual and scientific movement.

In this respect, the Sultans and Princes discharged their duty as best can be. They competed in establishing scientific establishments, granting huge endowments, and appointing the best scholars and thinkers to staff these. Moreover, many of the Sultans themselves were highly cultured, and intent on creating a cultured society, with interest in scientific and literary studies. Sultan Abu Sa'īd Timurbughā al-Nāsiri (871-872/1467 – 1468) was a man of letters, historian, and well-regarded religious scholar.²⁵⁷

Sultan al-Mu'ayad Aḥmad ibn Īnāl was a poet, orator, and well versed in religious sciences.²⁵⁸ Moreover, Sultan al-Ashraf Abu Nasr Qāyrbāy (872-901/) was well read, and also sought knowledge.²⁵⁹ As for Sultan Qānsawh al-Ghūrī (906-923), he was a literary person, poet and orator. He also loved reading books of history, biography and

255 Al-Siyūṭī, *Husn al-Muhadarah fī Akhbār Miṣr wa al-Qāhirah*, 2/65-66.

256 Salīm, Mahmūd Rizq, *'Asr al-Salātīn al-Mamalīk wa Nitājah al-'Ilmī wa al-'Adabī*, 3/10-13.

257 Al-Sakhāwī, *Al-Ḍaw' al-Lāmi'*, volume 3, p.41.

258 Ibid, p.309.

259 Al-Sakhāwī, *Al-Ḍaw' al-Lāmi'*, volume 3, p.203; Ibn Iyyās, *Badai' al-Zuhūr*, volume 3, p.326.

poetry.²⁶⁰

Sultan Qāyrbāy (872-901) would take advantage of the meetings by scholars and jurists in the citadel, to raise many scientific issues, and discussed these with them.²⁶¹

Sultan al-Ghūri took great interest in holding councils of scientific and religious discourse in the citadel, once or twice a week. He would discuss in such meetings various issues and problems, both scientific and religious, in which participated many of the great scholars and jurists.²⁶² Some Mamluk Sultans -- after they were removed from power -- devoted themselves to knowledge, spending their time on it, and exploring its many facets; for example Sultan Yūsuf ibn Bārsbāy (841-842), when he was removed and imprisoned in Alexandria, he studied the branches of science and literature.²⁶³ Like him, Sultan Aḥmad ibn Ināl al-ʿAlaiʿy (965), who was removed and transferred to Alexandria, spent all his remaining time in exile learning.

In addition, some Mamluk Sultans and princes followed a policy of encouraging the immigration of scholars to Egypt. Sultan al-Zāhir Barqūq (784-790) made it his policy to bring the leading scholars of the Muslim world to Cairo,²⁶⁴ so as to maintain a fresh and flourishing intellectual life, with the knowledge that they brought with them, and the intellectual vitality their presence stimulated.

The reasons that led to this magnificent state of knowledge, was that the Mamluk Sultans' intent to build scientific establishments, was of no compare. At the time, these establishments were schools, mosques, libraries and other educational and

260 Ibn Iyyās, *Badai' al-Zuhūr*, volume 5, p.89.

261 Ibn Iyyās, *Badai' al-Zuhūr*, volume 3, p.297.

262 ʿĀshūr S, *Al'Asr al-Mamālīkī fī Mīsr wa al-Shām*, p.342.

263 Al-Siyūti, *Nazm al-ʿAqyān*, p.179.

264 Ibn Thaghri Bardī, *Al-Nujūm al-Zāhirah*, volume 13, p.164-165.

religious establishments. This phenomenon is one of the prominent features that evidenced the concern the Mamluks had, for the intellectual movement.

One of the most important schools established during the era, was the *Madrasah Zāhiriyyah*, founded by Sultan al-Zāhir Baybars (658-676). It was the most prestigious school in Cairo, and consisted of four knowledge circles: two circles dedicated to the teaching of Fiqh according to the Shafi'ī and Hanafī schools of jurisprudence, and was dedicated to (Ḥadīth) the Prophetic tradition, and Qur'ān rendition. Each knowledge circle had its own place within the school, and leading scholars and jurists sat to teach there.²⁶⁵ When Sultan al-Mansūr Qalāwuñ (678-689) created his scientific institute, it included a school with three knowledge circles that were not to be found in the *Madrasah Zāhiriyyah*, two circles teaching Fiqh according to the Māliki and Ḥanbali schools of jurisprudence, and one dedicated to teaching medicine. The staff of the school consisted of well-regarded scholars and jurists.²⁶⁶

As for al-Nāsir Muḥammad Qalāwun, his period of rule was the best in terms of creating scientific establishments. In 703, his school called al-Nāṣiriyyah was completed; the school continued to play a role for more than one and a half centuries. It was described as always full, and one of the prestigious schools of his time.²⁶⁷

When Sultan Barqūq (784-790) came to power, he set about establishing his Zāhiriyyah Madrasah. It was officially opened in Sha'ban 788, and he appointed to it scholars to teach; Fiqh, Ḥadīth, Tafsīr, and the rendition of Qur'ān. There was nothing

²⁶⁵ Ibn Thaghri Bardī, *Al-Nujūm al-Zāhirah*, volume 7, p.120-121.

²⁶⁶ Al-Maqrīzī, *Al-Mawā'iz wa al-I'tibār*, volume 2, p.380-381.

²⁶⁷ Ibid, volume 2, p.382.

of compare ever established in Cairo.²⁶⁸ Al-Ashraf Bārsbāy (825-841) established his school in 833.²⁶⁹ Sultan al-Ashraf Ināl (857-865) finished building his school in 860.²⁷⁰ While Sultan Qāyrbāy (824-901) was considered one of the most prolific Mamluk Sultans in building schools. He not only established them in Cairo, but also in other regions like Damietta, Alexandria, Medina, Mecca, Jerusalem, and Damascus.²⁷¹ Sultan al-Ashraf Qānsawh (906-922) established more than one school in Cairo and Mecca.²⁷²

It was customary for these schools, mosques, and institutes to have dedicated libraries; these were huge and contained references in all sciences. Each library had a person in charge, who ensured that the books were organised, properly shelved, and repaired from time to time; in addition to guiding readers to the references they needed. It was usual to appoint a scholar or jurist²⁷³ in that position; for example Judge Ibn Hajar al-'Asqalānī was in charge of the Mahmūdiyyah library until he died in 852.²⁷⁴

Teaching in these schools, was a prestigious position. The Sultan himself would appoint the teacher and issue a special appointment from the *Dīwān* (Chamber), depending on the subject that would be taught, whether Tafsīr, Ḥadīth, or Fiqh. In the appointment, the Sultan would give advice to the scholar to reveal his knowledge to

268 Ibn Thaghrī Bardī, *Al-Nujūm al-Zāhirah*, volume 11, p.291.

269 Al-Maqrīzī, *Al-Sulūk*, volume 3, part 2, p.547-548.

270 Ibn Thaghrī Bardī, *Al-Nujūm al-Zāhirah*, volume 15, p.97.

271 Ibn Iyyās, *Badai' al-Zuhūr*, volume 3, p.329.

272 Ibn Iyyās, *Badai' al-Zuhūr*, volume 5, p.93-95.

273 Al-Qalqashandī *Ṣubḥ Al-A'shā*, volume 11, p.269.

274 Al-Sakhāwī, *Al-Daw' al-Lāmi'*, volume 5, p.143.

his students and raise them as he would his own children.²⁷⁵ It was also customary to appoint one tutor or more to assist each teacher; they would revise with the students what the teacher had previously presented, so that they are better able to understand and become proficient. The student had the freedom to choose the subjects that he wished to study, and the Shaykh under whom to learn. When the student completed his studies, and was qualified to issue *fatwas* (religious rulings), as well as teach, his Shaykh would issue him with a document of permission mentioning the name of the student, his teacher, the school of jurisprudence to which he belonged, the date he became qualified; the value of this document depended on the reputation of the Shaykh issuing it, and his scientific standing.²⁷⁶

The Mamluk Sultans and princes also applied themselves to providing sources of funding for schools and scientific establishments. They made many endowments to them, in the form of farm estates, property, and others. They spent generously, and paid the teachers exceptional salaries. They also spent on the students, which gave everyone the opportunity to dedicate themselves fully to study and research without worry about their livelihood.²⁷⁷

In conclusion, after this brief presentation of the features of Mamlūk times from the scientific and cultural perspective, we may say that the Sultans and prevailing political climate played an important role in creating such a flourishing scientific and

275 Al-Qalqashandī Ṣubḥ Al-A'shā, volume 11, p.246-247.

276 Al-Qalqashandī Ṣubḥ Al-A'shā, volume 14, p.322-326. 'Āshūr S. Al'Asr al-Mamālīkī fī Mīsr wa al-Shām, p.344.

277 Muḥammad 'Amer, Al-Mamālīk al-Miṣrīyyūn Aladhīn Lama'ū fī Maydān al-Fīkr, doctoral thesis, p.123.

cultural scene. This resulted in a huge scientific heritage, which included the work that we are about to authenticate and study.

2.5.5. *Ahl Al-Dhimmah* in Egypt during Mamlūk times:

In Egypt in the Middle Ages, *Ahl-al-Dhimmah* (non-Muslims residing in Muslim lands) were represented by numerous sects. In the Mamluk period, the Christians were divided into two main groups, Melchites (or Uniate Christians), and Jacobites, while the Jews were three denominations; Rabbinite, Karaite, and Samaritans. This diversity came about -- naturally -- as a result of religious difference between the followers of the two religions.²⁷⁸ The following is a brief presentation of these sects:

2.5.5.1. The Christians:

It is worth noting, that the two main Christian sects, the Jacobite (Orthodox) and Melchite, appeared in Egypt. The Jacobites are the majority and exist to this day. The Melchites -- are the Roman Orthodox -- this was an outcome of the Council of Chalcedon convened as a result of the controversy over the nature of Jesus, in the early Christian era. The sect is ascribed to the Byzantine emperor, Mercian (450-457 CE) who called for this ecumenical council in 451CE, due to the view by Dioscorus, 8th Patriarch of Alexandria, that Jesus had one nature, divine and not human.²⁷⁹

The Byzantine emperor attempted a compromise on the nature of Jesus, to end the dispute over this issue. The ecumenical Council also decided to remove and exile Dioscorus, casting him and his followers as heretics. This resulted in fierce resistance

278 Qāsim Abdu Qāsim, *Asr Salātīn al-Mamālīk*, first edition, Cairo: Dār al-Shurūq, 1994, p.85.

279 Qāsim Abdu Qāsim, *Ahl-al-Dhimmah fī Miṣr min al-Faṭḥ al-Islamī hattā Nihāyat al-Mamālīk*, Cairo: Ayn li al-Dirāsāt wa al-Buḥūth al-Insāniyyah, 2003, pp.97-98.

to the new creed adopted by the State, and led to a division between the two sects (Melchite/Jacobite) on the one hand, and violent repression of the Copts who upheld the Monophysite creed, on the other.²⁸⁰ It would seem that the Melchite sect was not numerous in Mamluk times, and that the majority were not of Egyptian origin.

The patriarch of the Melchite sect was considered by the State as an employee, like other leaders of Ahl-al-Dhimmah in Egypt who oversaw the relationship between the members of their community and the State, while supervising the internal affairs of the denominations according to their laws. Documents have defined a condition that must be fulfilled in whoever becomes patriarch. Most importantly, he must have the majority backing of the members of the sect, due to his good character and noble attributes, in addition to being fully versed in the tenets of his religion.²⁸¹

As for the Melchites, they were followers of Dioscorus, who considered that Jesus is one, but out of two natures, and became known as Monophysites. The Jacobites are ascribed to Jacob al-Barāzi', one of their leaders; followers of these sects were the Orthodox Copts -- the majority of Egyptian Christians today. At the time, the Coptic Church was the mother church for those churches in Jerusalem, Palestine, Nubia, and Abbysinia.²⁸²

Historical documents defined the powers and responsibilities of the Jacobite patriarch, which included organising the internal affairs of his sect, including sale, inheritance, and marriage according to their religious laws, and to determine the dates of their

280 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, published by Dr. Ziyādah, (Cairo: 1970), volume 1 part 3, p.912.

281 Al-Qalqashandī *Subḥ Al-A'shā*, volume 11, p.385.

282 Al-Maqrīzī, *Al-Khuttat*, volume 2, p.488.

festivals and seasons, while supervising the affairs of monasteries and churches.²⁸³ Sometimes the competition between those wishing to take up patriarchal posts, would be such that they would seek out the ruling authorities, and high princes, paying bribes for support from the sultanate authority: this occurred during the election of the successor of patriarch Carolus III, in the days of Sultan Izz-al-Dīn Aybak al-Turkumanī.²⁸⁴

Noteworthy that the Simonitic phenomenon -- sale of religious positions -- had become widespread in Egypt at the time. It was combated by some reformer patriarchs like Athnasius III (648-660), who worked hard to abolish it, and fiercely censured anyone who attained religious authority by such corrupt means.²⁸⁵

2.5.5.2. The Jews:

The long history of the Jews saw their division into many sects, each claiming to be on the correct path, and the closest to the tenets of the Jewish religion. The difference between these sects was mainly focused on recognition of the books of the *Torah* and *Talmud*, or rejection of some; most prominent of these sects were the Rabbinate, Kariate, and Samaritan.

a. The Rabbinate Jews:

They are the majority of the Jews, and better known than others. They were the majority of Jews in Egypt at the time. The word, *Rabbinim*, means religious leader or jurist. This word was arabicised to "Rabbani". The sect was named Rabbinate to

²⁸³ Al-Qalqashandī, op. cit., p.395, 397.

²⁸⁴ Qāsim Abdu Qāsim, *Ahl-al-Dhimmaḥ fī Miṣr min al-Faṭḥ al-Islāmī hattā Nihāyat al-Mamālīk*, p.102.

²⁸⁵ Ibid, p.101.

indicate that they follow the interpretation by Jewish scholars of the Talmud. Since they were the most numerous in Egypt, the leader of the Jews who oversaw all three sects, at the beginning of the Mamluk times, was from the Rabbinate sect. It could be said that the Rabbinate were unique in explaining the ambiguities of the Torah and its branches that were ascribed to Prophet Moses. They permitted the interpretation of the text of the Torah.²⁸⁶

b. The Kariate Jews:

The second group of Jews in Egypt at the time were represented by the Kariate Jews. They took their name from the Hebrew root, *Kara*, meaning (read -- invite -- call), because they did not believe in other than what they read in the Torah, rejecting all else, nor did they bind themselves to what was in the Talmud. Kariate Jews do not believe in interpreting the Torah, as do Rabbinate Jews, nor do they believe in predestination; they depend on the lunar calendar for their festivals and religious observance, which created differences between them and Rabbinate Jews.²⁸⁷

c. Samaritan Jews:

It can be said that the Samaritans were a small minority in Egypt, appearing in the time of the Mamluk State. Despite the fact that the other Jewish sects, both Rabbinate and Kariate, did not consider them Jews directly, but this did not prevent the authorities in the time of the Mamluk Sultans from dealing with them officially on the basis that they were a Jewish sect, and applied the conditions of Ahl-al-Dhimmah to them.

It is clear, that the Samaritans only recognised the five books of Moses, while

286 Ibid, p.102-103

287 ibid, pp.104-105.

mistakenly, some Jews thought that this sect, had a Torah that was unlike the one upheld by the Rabbinate and Kariate Jews. The Samaritans rejected any prophet hood after Moses, with the exception of Aaron and Joshua. They also held al-Jarzim mountain, near Nablus, as the site of their pilgrimage, making offerings there rather than on the Temple Mount in Jerusalem, claiming that God had spoken to Moses on that mountain.²⁸⁸

As for the leader of the Jewish community in Egypt, sources and Arab documents named him as leader of the Jews, sometimes the name "Rabis" was used. He enjoyed wide religious powers, as clarified by the documents; he had the right to supervise the affairs of the three sects—at the beginning of the Mamluk period at least, and to regulate their internal affairs, in addition to their relationship with the State. He had the authority to appoint whoever he wished to the various levels of the religious hierarchy in accordance to the Jewish religion, and to regulate the affairs of the Jewish religion, as well as administering punishment in accordance with their law.²⁸⁹

In light of the aforementioned, it is clear that the status of Ahl-al-Dhimma in Egypt, both Jews and Christians was characterised by justice and fair treatment. The State dealt equally with the different sects, and did not discriminate amongst them. The Mamluk State recognised the Samaritans as a Jewish sect, although many Jews did not consider them so. This shows the extent of the State's liberal attitude towards these communities.

The nature of authority in the Mamluk period based on the principle of competition between Mamluk Princes helped in forging a special relationship with Ahl-al-

288 Al-Qalqashandī, op. cit., pp.268, 269.

289 Ibid, volume 11, pp.385-388.

Dhimma, which was distinguished by fairness, and granting rights to them: to the extent that they were given sensitive government positions in the Mamluk State, since they wielded significant commercial and economic influence. In reality, this relationship was marred by periods of oppression on Ahl-al-Dhimma, especially relating to the confiscation of their wealth during times of crisis, where both they and Muslims would suffer this in equal measure.²⁹⁰

The Crusades helped in provoking enmity towards Christians, whether inside Muslim lands or abroad. This caused some Muslims to confront Ahl-al-Dhimma in Cairo and other cities. However, despite all this, there were periods of harmony between Ahl-al-Dhimma and Muslims, to the point where one-day all Ahl-al-Dhimma came out to participate with the Muslims in the rites to plead for rain, when the Nile dried up.²⁹¹

It is clear that Ahl-al-Dhimma received significant privileges at one time during Mamluk rule. They were very close to the State, and were given sensitive positions; a large number became clerks in the Sultan's Chambers. Al-Samhūdī mentioned in his work some aspects of life in his time, relating to Ahl-al-Dhimma. He seems to have lived at a time when they had power and occupied sensitive posts in the State, as he dedicated a special section titled "*the prohibition of employing Ahl-al-Dhimma*". He mentioned that some sultans had employed them as clerks in their chambers, and granted them authority over Muslims. Some of them had used their authority to abuse and insult Muslims. Al-Samhūdī reports that he witnessed some Ahl-al-Dhimma, while riding, would remove a foot from the stirrup of a horse and kick Muslims in the

290 Qāsim Abdu Qāsim, 'Asr Salātīn al-Mamalīk, p.93.

291 Ibn Iyyās, Badai' al-Zuhūr, 1/229.

face. Al-Samhūdī commented on the scene saying that he wished he had died rather than see such a thing.

Al-Samhūdī also reports that he witnessed some Muslims kissing the hands and feet of some of Ahl-al-Dhimma, while they were mounted on their horses; all this because the State had granted them power. Al-Samhūdī stated that if he were to write all the ugly deeds committed by Ahl-al-Dhimma in his time, countless volumes would not be sufficient.

The reality is that there were historians who agreed with al-Samhūdī in what he mentioned. Some of them wrote describing the state of Ahl-al-Dhimma and the luxuries they enjoyed in Cairo and Egypt, where they were ostentatious in manner of their dress, trappings, and their attitude, having been given high positions.²⁹²

Some historians gave descriptions similar to al-Samhūdī of Ahl-al-Dhimma, who were State employees, yet a Muslim would run beside the Dhimmi on horseback pleading with him a favour.²⁹³

It is worth mentioning that Ahl-al-Dhimma joined the administrative system of the State and the financial administration, whether in the Sultan's chambers or that of the Princes, becoming so powerful, to the point where the Sultans were unable to do without them, leading to Muslim displeasure.²⁹⁴

Finally, we may say that Ahl-al-Dhimma were present in Egypt, and in Cairo especially, and the majority of Muslims lands during the Mamluk period to varying proportions, represented in all their denominations. At the end of the Mamluk period,

292 Al-Maqrīzī, *Al-Sulūk li Ma'rifat Duwal al-Mulūk*, 2/923-925.

293 Ibn al-Ukhuwa, *Ma'ālim al-Ghurbā fī Ahkām al-Hisba*, p.32.

294 Qāsim Abdu Qāsim, *Asr Salātīn al-Mamalīk*, p.94.

they were influential and occupied sensitive positions in the State, where the Sultans elevated them, leading Muslims to criticise this.

2.6 Historical analysis of the factors leading to the downfall of the Mamlūk State

No doubt that the Mamluk State was afflicted by weakness in the same way that other States suffer at their end. The Mamluk State was unable to exercise an effective role, as it had done so before, especially after the discovery of the navigation route around the Cape of Good Hope.

In addition to political instability, especially at the end of the Mamluk period, where there were large numbers of military men around the Sultan, and especially ones who had designs on the throne, which in turn led to a state of political instability.²⁹⁵

Perhaps as a result of the huge financial burdens, and the spread of the plague throughout the Mamluk State in 897/1492, and the death of the Sultan Qāyrbāy, the Mamluk Princes began to fight over the throne, killing one another. However from 908/1502, the Portuguese launch their war on the Arabs, in order to control the maritime trade routes leading to a monopoly on trade in the Indian Ocean. In 911/1505, the Portuguese occupied the island of Suqatrā in the Gulf of Aden, and in 913/1507, they occupied Hurmuz in the Persian Gulf. They also penetrated into the red Sea reaching close to Jeddah, and completely overwhelmed the Mamluks with their formidable naval power. They destroyed the Egyptian fleet in 915/1509, forcing Sultan Qansawh al-Ghūrī -- in the closing phases of the Circassian Mamluk State -- to

295 Joan Wucher King, *Historical dictionary of Egypt*, Cairo: the American University in Cairo Press, 1989, p.419.

seek help from the Ottomans.²⁹⁶

At the same time, the power of the youthful Ottoman State was on the rise, and it looked to bring the Muslim East under its dominion, having successfully extended its influence and State in Europe. The Mamluk State in such circumstances could not hold back the onset of its inevitable demise and repel the dangers coming at it from all directions; after this Egypt faced two major obstacles:

The first was the discovery by the Portuguese of the route around the Cape of Good Hope in 892/1487. Following this, Vasco de Gama was able to sail to India around Africa in 904/1498, thus diverting international trade away from the Red Sea and Egypt. Egypt was no longer the crossroads for trade between East and West, and the Mamluk Sultanate lost a main source of wealth.

The second obstacle that faced the Mamluk Sultanate was the increased danger from the Ottomans, who fought the Mamluks and killed al-Ashraf Qānsawh al-Ghūrī in the battle of Marj Dābq, as a result of the treachery of prince Khayir Bek. Tūmanbāy was chosen as Sultan in 922/1516, and was the last Mamluk Sultan of Egypt, as the Ottomans led by Salīm I entered Egypt and occupied it. From 1517 onwards, Ottoman rule began, signalling the end of the Mamlūk State.

It can be said that external and internal factors contributed to the downfall of the Mamluk State.

2.6.1. External factors:

These factors include the external forces that caused the weakness of that State and its downfall:

The continuous attacks by the Portuguese on the Egyptian fleet starting from the end

²⁹⁶ PM Holt, *The central Islamic lands from the pre-Islamic Times to the First World War*, p.227.

of the 15th century, which led to the destruction of Egyptian naval power. In addition, Sultan Qānsawh al-Ghūrī had to seek help from the Ottomans in rebuilding his fleet, and repelling attacks by the Portuguese and their control of the Hurmuz Straits; their arrival on the Red Sea coast and the Port of Jeddah, in addition to their control over the trade routes from India and around the Cape of Good Hope, which contributed to their control over the spice trade;²⁹⁷ little goods were coming from India, leading to high prices in Egypt and Shām because of scarcity in the markets. This drastically weakened one of the most important sources of Egyptian State income.

The power of the Ottoman armies in arms and preparation, in addition to their dependence on firearms in fighting, compared to the Mamlūks who still mainly depended on Mamluk horsemen fighting with swords and daggers, as well as other weapons that were considered primitive, and weaker than the Ottoman arsenal made up of guns and cannons; in addition to the weak spirit of Mamluks when it came to fighting. This in turn led to the defeat of Tūmānbāy, time after time, in those battles he fought with the Ottomans, whether in al-Raidaniyyah or in Cairo, resulting in his eventual capture and execution in 1517, having been preceded by Sultan Qānsawh Ghūrī in the battle of Marj Dābiq in 922/1516.²⁹⁸

These constant battles led to the attrition of the Mamluks economic power, especially facing the Tatar Mongols, and the Crusaders, leading the State resources to dry up.

2.6.2. Internal factors:

These are factors that came to the fore through policies of the Mamluk State in

297 Abdel Aziz Mahmūd Abd al Dāyim, *Miṣr fī ‘Asray al-Mamalīk wa al-‘Uthmaniyyīn*, pp.168-169.

298 Lane Pool, *A history of Egypt*, in "the Mamlūk Kingdom in Islamic Culture", volume xxxv part 1, New York: 1962, p.559.

administering the lands.

- The existence of an internal defect in the infrastructure and the organs of the Mamluk State, embodied in their dependence on giving power to the most powerful Prince, and making him the Sultan, so creating a climate of plots, and struggle between the Princes over of power. In addition to the breakdown in bonds between the Mamluks, for example the mentor bond, which underlined the loyalty of Mamluks to their mentor; at his hands they had been brought up. During the period of the Burjī Mamluk State, this bond was greatly weakened, and Mamluks would be acquired ready and prepared to fight -- they were called *al-Ajlāb* -- who did not have any allegiance to their mentor, nor their colleagues, as had been the case at the beginning of the Mamlūk State.
- Internal discord and strife, as well as endemic problems caused by *al-Ajlāb* Mamluks, which led to the murder of many Sultans, and suffering by the people from them, continuously trespassing on people's property, and the inability of the Sultan to confront them on many occasions.
- The drying up of financial resources as a result of financial malpractice, economic freefall, maladministration by the Mamluks of the economy, and their apathy towards economic development of the lands that they controlled.
- The effects of plague, famine, the spread of disease and epidemics, in turn led to the death of thousands of people, affecting living conditions in Egypt and Shām, which also sapped the resources of the Mamluk State.
- Collection of taxes and tithes in an excessive manner led to a general revolt by the people, especially the poor; rising in rebellions, and internal strife that considerably weakened the State internally.

- The inability of the Mamluk State to command respect: widespread theft, loss of security, and constant attacks by thieves, Arabs, and Bedouin on farmers, in addition to the huge taxes, led to constant confrontation between the citizens on the one hand, and the Mamluks on the other. This is evidence to us, of the weakness of the Mamluk State internally, where the people would assault the Sultan's employees, his inspectors, and even judges and the Sultan's deputies.

2.7. Conclusion

We may conclude from the foregoing that the Mamluks were originally slaves brought in by the Ayyubids, then their power increased until they were able to grab power. Their rule extended from 648 to 923. This period of their rule saw many events, including the repulsion of the Mongol Tatar invasion, as well as confronting the fierce Crusade attack. Mamluk rule was distinguished by revolts, and coups against the rulers, where the spirit of clan loyalty was prevalent among the ruling class. The killing of Sultans, and their removal was common; the Mamluk period was divided into Bahrī and Burjī dynasties.

The Mamluks left a huge scientific legacy that had accumulated during periods of stability, which had seen the spread of knowledge and thriving publishing by scholars, especially in Medina, Cairo, and Mecca.

The Mamluk era saw periods of economic boom, where the Mamluk State possessed many resources that helped it flourish, however it was quickly affected by the same factors which led to a debacle in the economic situation, helped along by excessive taxation of the people.

The Mamluks State fell in 923/1517 due to several external and internal factors; most prominent of which was the competition by the Ottoman State and its expansion. We

have covered the most important features of the times in which al-Samhūdī lived, reviewing the most important political, scientific, economic, and social aspects.

CHAPTER THREE

3.1. Discipline to which this Work Belongs

3.1.1. Introduction

Al-Siyāṣah al-Sharʿiyyah [*Sharīʿah*-oriented Policy] is an old discipline, about which a number of early scholars wrote. Since then, it has passed through various stages and circumstances that both refined and diversified it.

Sharīʿah-oriented Policy, as a science, concerns itself with the rulings of the ruler and the ruled and other disciplines related to them. The materials of this science are a collection of *Sharīʿah* rulings, ethical etiquettes, and social laws.²⁹⁹

It also comprises the relationship between the individual and the state, the leader with the subjects and the authority with the people. Today, this kind of relationship is commonly known as the constitutional, financial, administrative and international jurisprudence. All of these are involved in *Sharīʿah*-oriented Policy Jurisprudence.³⁰⁰

3.1.2. Terminological Definition of *Al-Siyāṣah al-Sharʿiyyah*.

Al-Siyāṣah al-Sharʿiyyah has been given a number of definitions, different in form, yet rather consistent and somehow identical in spirit.

3.1.2.1. The Ḥanafī Definitions:

Some Ḥanafī scholars have defined '*siyasaḥ*' as:

"The process of encompassing the subjects with what benefits them using both soft and compelling means."³⁰¹

299 Abū ʿAbd Allāh Ibn al-ʿzraq, *Badāʾi ʿal-Silk Fī Ṭabāʾiʿ al-Mulk*, 1/292.

300 Al Qaradāwī, *Al-Siyāṣah Al-Sharʿiyyah*, p15.

301 Najm Al-Dīn Al-Nasafī, *Ṭulabat Al-Ṭalabah*, p.332, 1st edition, 1416 AH, edited by Khalid Al-ʿik, Dār Al-Nafīs, Beirut.

Others have provided the following definition:

"An action taken by the ruler to fulfill an interest he deems fit, or what the ruler does for the public interest without being mentioned in the *Shari'ah*."³⁰²

3.1.2.2. The Shāfi'ī Definitions:

Shāfi'ī scholars defined *siyāsah* as:

"To take care of something using means that are suitable for it."³⁰³

They also defined it as:

"Reforming and managing the affairs of the subjects."³⁰⁴

3.1.2.3. The Ḥanbalī Definition:

The Ḥanbalī scholars, on the other hand defined *siyāsah* as:

"Actions meant to bring people closer to uprightness and farther from corruption, that were not legislated by the Prophet, nor revealed in a revelation."³⁰⁵

302 Ibn Nujaym, *Al-Baḥr Al-Rā'iq Sharḥ Kanz Al-Daqā'iq*, 5/11, 2nd edition, Dār Al-Kitāb Al-Islāmī, and *Rasā'il Ibn Nujaym*, 117, 1st edition, 1400 AH, Dār Al-Kutub Al-'Ilmiyyah.

303 Al-Nawawī, *Sharḥ. Ṣaḥīḥ Muslim*, 12/231.

304 Al-Bujayramī, *Al-Tajrīd Li Naf' Al-'Abīd*, 2/178, 3rd edition, 1369 AH. Matba'at Al-Bābī Al-Ḥalabī, Egypt.

305 Ibn Al-Qayyim, *I'lām Al-Muwaqqi'in 'An Rabb Al-'Ālamīn*, 4/451, Ibn Tāymiyyah Library, Cairo, edited by: 'Abd Al-Raḥmān Al-Wakīl.

One can notice that the aforementioned definitions by early scholars focused on fulfilling “the interest” as none of these definitions was devoid of either of the two words “interest” or “maintaining”. Hence, scholars concern themselves with the Shari‘ah Objectives, one of which is fulfilling the interest.

3.1.3. Definition of *Al-Siyāsah al-Shar‘iyyah* by Contemporary Scholars

‘Abdul Wahhāb Khallāf defined *Al-Siyāsah al-Shar‘iyyah* as:

"A discipline that investigates the means by which the Islamic State is run, like the rules and laws that comply with the foundations of Islam."³⁰⁶

Dr. Yūsuf al-Qaradāwī says:

"To our early scholars the term ‘*siyāsah*’ had two meanings; the first is the general meaning, that is, to manage the people’s matters and life affairs using the rulings of religion; therefore, we see them define *Khilāfah* [Caliphate] as a substitute for the Prophet in safeguarding the religion and managing the worldly life.

The second meaning is: “the specific one, which refers to the orders and decisions taken by the Imām to address an existing corruption, or to deter an expected one, or to deal with a particular situation.”³⁰⁷

Based on the above definitions, early and contemporary scholars and authors fall, in

306 ‘Abdul Wahhāb Khallāf, *Al-Siyāsah Al-Shar‘iyyah*, p7, 3rd edition, 1407 AH, Mu’assasat Al-Risālah, Beirut.

307 Al Qaradāwī, *Al Siyāsah Al Shar‘iyyah Fī Daw’ Nuṣuṣ Al Shari‘ah wa Maqāṣidihā*, p32, 1st edition, 1998, Maktabat Wahbah, Cairo.

their writings on *Al-Siyāṣah al-Sharʿiyyah*, into two main categories:

3.1.4. First Category:

This category is characterized by the Islamic Jurisprudence as scholars of this category have collected the jurisprudence issues which fall under the heading “*siyāṣah*”. On the one hand, this section focuses on the laws of jurisdiction, by which the subjects’ issues could be managed and resolved using commands and inhibitions regardless of whether these commands and inhibitions were issued by the Imām (leader), or the Caliph, or by any of the lower ranking officials such as governors, ministers, or judges. On the other hand, this section is also interested in the laws relating to the Caliphate in terms of the necessity of designating a Caliph; his required entitlements and conditions to be a Caliph; his duties and rights vis-à-vis his subjects and vice versa; and finally his relationships with other nations - both Islamic and non-Islamic.

3.1.4.1. Prominent Works in this Field:

Before mentioning the most significant books that dealt with *Al-Siyāṣah al-Sharʿiyyah* in terms of jurisprudence, it is important to point out that such books were not devoid of moral and ethical aspects - these will be later discussed as the second category. On the whole, however, these books are distinctly marked by impacts of jurisprudence and *Sharīʿah* laws.

Those books include:

*a. The Book of Al-Kharāj [Land-tax] by Al-Qādhī Abū Yūsuf:*³⁰⁸

308 Yaʿqūb ibn Ibrāhīm ibn Ḥabīb ibn Ḥubaysh ibn Saʿd Al-Anṣārī Al-Kūfī. The Lord Justice at the days of Hārūn Al-Rashīd, Abū Yūsuf was born in Al-Kūfā in 113/731, and died in 182/798. The scholars of his days praised his works, and some critics criticized him for some matters they refuted

This is one of the books that is classified within the financial system as one of the subjects of *Al-'Aḥkām Al-Sultāniyyah*, [The Sultan's Rules] though not restricted to it. In fact, it involved several subjects relating to *Al-Aḥkām Al-Sultāniyyah* like the leadership [*'Imārah*] of *Jihad*, fighting the apostates and tyrant wrongdoers, the punishment of renegades and spies, some war conventions, the judicial system, methods of appointing civil servants, and financial control. It is, therefore, much more comprehensive than the impression given by its title, as it deals also with the subject of the *Ahl Al-Dhimmah* in the Islamic State.

Without exaggeration, this book is, indeed, an authoritative work in this field. 'Abū Yūsuf prepared the book in response to the demands by the Caliph of the time, Hārūn Al-Rāshīd.³⁰⁹

b. Al-Aḥkām Al-Sultāniyyah Wa Al-Wilāyāt Al- Dīniyyah by Al-Māwardī

Al-Māwardī, in this book, deals with the key topics of *Al-Siyāsah al-Shar'iyyah*. Initially, he tackles the subject of leadership, its conditions and how it is reformed. He then discusses the subject of holding the position of Minister, the various types of ministers, the qualifications required for whoever is deemed reliable and worthy of such position as well as the restrictions in practice. He goes on to discuss jurisdiction in general and particularly the jurisdiction of *Jihād*. Then he deals with the remaining jurisdictions, for instance those relating to judicature and grievances. Eventually he

'Ibn Al-Nadīm, *Al-Fahrist*, p.250, *Al-Baghdādī*, *Hadāyat Al-'Ārifīn*, 2/8. Also cf. *Manhaj Kitābat Al-Tārikh Al-'Aslāmī* by Muḥammad Ibn Sāmīl Al- Salamī, p498, and *Al-Tārikh Website* on the internet: <http://www.altareekh.com/doc/article.php?sid=514>

309 Naṣr Muḥammad 'Arif, *Maṣādir Al-Turāth Al-Siyasī Al-'Islāmī*, p109, and a PhD thesis entitled "Fiqh Al-Siyāsah Al-Shar'iyyah" by Sa'd Al-'Uṭaybī, *Al-Ma'had al-'Ālī li al-Qaḍā'*, Islamic University of Imam Muḥammad ibn Su'ūd, Riyadh.

gets to the economic dimension pertaining to *al-Fay'* [acquisitions in wars after surrender without fighting], *al-Ghanimah* [war spoils], *al-Jizyah*, *al-Kharāj* [land-tax], and finally ends with the criminal code.

c. *Al-Aḥkām Al-Sultāniyah* by Abī Ya'la' Al-Farrā':

This book was almost identical to *Al-Aḥkām Al-Sultāniyyah* by Al-Māwardī, despite the fact both men were contemporaries and despite the fact that the two authors were from different schools of thought: Al-Māwardī was Shafi'ī, and Al-Farrā' was Hanbalī. A strong resemblance can be seen between the two books both in terms of their themes and subjects.

d. *Ghiyath Al-'Umam Fī 'iltiyāth Al-Zulam* by Al-Juwaynī³¹⁰

It consists of three main chapters that are further divided into several sections.

The first chapter deals with the necessity of appointing the ruler; answering those who deem this unnecessary. It also deals with the entities entitled to appoint the ruler. It moves on to discuss the *Imāmah* [leadership] in the light of textual provisions from *Qur'ān* and *Sunnah*. It also discusses the issue of *Ahl Al-Hall wa Al-'Aqd*³¹¹ and *Ahl -Al- 'Ikhtiyār* [choosing], in terms of their number, and identifies the qualities needed in the rulers personality. Next it deals with the issue of how to dismiss the ruler and the reasons for doing so. It also studies the issue of appointing two rulers to the same post.

310 'Abd Al-Malik Ibn 'Abd Allāh Ibn Yūsuf Ibn Muḥammad Al-Juwaynī, born in 419/1028, in a house famous for knowledge and piety, and died in 478/1085, at the age of 59.

See: Mu'jam Al-Mu'alifin, Riḍa Kaḥalah, 6/184, 185, and "islamonline" website:

<http://www.islamonline.net/Arabic/history/03/1422/article35.shtml>

311 Literally: the people who untie and tie the knots ie people who are entitled to make decisions, in this context, the scholars.

The second chapter tackles the issue of the prerequisites of the ruler and the issue of the ruler using force to seize power.

The third chapter discusses the presence of *Mujtahidūn* [scholars capable of passing legal verdicts] at all times and the consequences of their absence.

It is noted that Al-Juwaynī criticized Al-Māwardī on some issues of dispute between them, particularly the ministry of *Tafwīd*. [delegation]

In fact, the books authored in this field are numerous. Some key titles include:

Tuḥfat Al-Turk Fīmā Yajib 'An Yakūn fī Al-Mulk by al Ṭartūsī,³¹²

Al-Sīyasah Al-Shar'īyyah fī 'Islāḥ Al-Rā'ī wa Al-Ra'īyyah by 'Ibn Taīmīyah,³¹³

Al-Turuq Al-Ḥukmiyyah fī Al-Sīyasah Al-Shar'īyyah by 'Ibn Qayyim Al-Jawziyyah.³¹⁴

These titles are cited here by way of illustration and the list is by no means

312 'Ibrahīm ibn 'Alī ibn 'Aḥmad ibn Al-Wāhid 'Ibn 'Abd Al-Ṣamad Najm Al-Dīn 'Ibn 'Imād Al-Dīn Al-Ṭartūsī, The Lord Justice for the Ḥanafīyyah. He was born in AL Mazza, Damascus in 720/1320 and died in 758/1357. Mu'jam Al-Mu'allifīn, Riḍa Kaḥalah, 1/62.

See the book of Tuḥfat Al-Turk, edited by Muḥammad Maṣṣarī, 1st floor, 1997. Publisher: The French Institute for Arabic studies-Damascus.

313 'Aḥmad Taqī Al-Dīn 'abū Al-'Abbās ibn 'Abd Al-Ḥalīm ibn 'Abd Al-Salām ibn 'Abd Allāh ibn 'Abū Al-Qasim Al-Khudīr ibn Muḥammad ibn Al-Khudīr ibn 'Alī ibn 'Abd Allāh ibn Taymiyyah Al-Ḥarrānī. He was born in Ḥarrān on Monday, 10th, or 12th Rabī' Al-'Awāl 661AH. A hard working scholar who contributed in various disciplines. He was bothered and harmed several times and also imprisoned in the forts of Cairo and Alexandria. He died in the fort of Damascus on Monday's night on 20th Dhī Al-Qi'dah in 728 AH. See: 'I'lām Al-Mu'allifīn, Riḍa Kaḥalah, 1/261, and the website "Ṣayd Al-Fawā'id" on the internet: <http://saaaid.net/monawein/taimaih/t.htm>

314 Muḥammad ibn 'Abū Bakr ibn 'Ayyūb Al-Zar'ī, famous as 'Ibn Qayyim, Al-Jawziyyah., born in Damascus in 691/1292., and died in 751/1350. See: 'I'lām Al-Mu'allifīn, Riḍa Kaḥalah, 9/106, 107.

exhaustive. The common denominator among these books is that all of them deal with matters pertaining to *Khilāfah* and government and *Sharī'ah* rules governing them as derived from the *Qur'ān*, the *Sunnah* and the history of the Four Rightly Guided Caliphs.³¹⁵

3.1.5. Second Category:

Books written on *Al-Siyāsah al-Shar'īyyah* within the second category address moral and ethical issues. They discuss the ruler's manners, the etiquettes needed when dealing with him and when advising him; as well as the indispensable attributes he should have. Specialists in *Al-Siyāsah al-Shar'īyyah* named this discipline "*Marāyā Al-Hukkām Wa Al-'Umarā'*" [Mirrors of Rulers and Princes.]³¹⁶ Other labels were also given to this discipline, such as, "*Al-Rusūm Wa Al-'Ādāb Al-Sultāniyyah*" [The Formalities and Etiquettes of the Sultan] and "*Al-'Ādāb 'Almulūkiyyah*" [The Royal Etiquettes.]³¹⁷

Scholars who wrote in this field blended several genres into one genre characterized by its admonitory function designed to influence both the ruler and the ruled. They carefully selected their advice and preaching from the *Qur'ān* and the *Sunnah*, from the biographies of the righteous people as well as from poetry and prose. They at times elaborate on certain stories highlighting their morals. Often they combine all

315 Naṣr Muḥammad 'Arif, *Maṣādir Al-Turāth Al-Siyāsī Al-'Islāmī*, p 109, and a PhD entitled "Fiqh Al-Siyāsah Al-Shar'īyyah", Sa'd Al-'Uṭaybī, the Higher Institute for Judgment, the Islamic University of Al-'Imām Muḥammad ibn Su'ūd, Riyadh.

316 This was stated by the famous verifier Dr Fū'ād 'Abd Al-Mun'im Aḥmad in the introduction of the edition of the book of "*Durar Al-sulūk Fī Siyāsit Al-Mulūk*" by Al-Māwardī, p 44, Al-Waṭan Publishing House, 1st edition, 1997.

317 See: a Ph D entitled "Fiqh Al-Siyāsah Al-Shar'īyyah", Sa'd Al-'Uṭaybī, p 17.

this with some jurisprudential rulings in order to help the rulers be more responsive to their preaching and to remind them of the purpose of ruling, viz. establishing justice and eliminating injustice.

3.1.5.1. Main Books Written in this Field:

Al-Samhūdī's book, the focus of the present research, clearly falls under this category. This is borne out by the similarities it has with the other books written in this field in terms of its subjects and themes as well as in terms of its moralistic exhortative style. The following are some of the key works written in this field:

a- *Durar Al-Sulūk Fī Sīyāsīt Al-Mulūk* by Al-Māwardī.³¹⁸

This book was divided into two parts: the first concerned itself with “*ʿAkhḻāq Al-Malik*” [King's Manners]; the second concerned itself with “*Sīyāsīt Al-Malik*” [King's Policy]. In the first part, he focused on praiseworthy and blameworthy manners. He distinguished arrogance from self-admiration. He condemned fury and anger; condoned reverence, patience, keeping secrets, consultation, mercy and compassion in addition to a number of attributes deemed essential for the ruler's personality. In the second part, he condoned gratefulness, urged the ruler to establish justice, look after his subjects and equate himself with them. He also urged the ruler to enjoin good, reward the right-doer, punish the wrong-doer, promote knowledge and dignify scholars.³¹⁹

In his book, Al-Māwardī drew on prophetic *Ḥadīths* and the Prophet's biography. He also made good use of aphorisms, maxims, and poetry. The meeting point between Al-Samhūdī and Al-Māwardī is the issue of gratefulness, and the issue of justice.

³¹⁸ See his biography above.

³¹⁹ Al-Mawardī, *Durar Al-Sulūk Fī Sīyāsīt Al-Mulūk*.

They were also similar in their use of quotations. Al-Māwardī and Al-Samhūdī both cited some of the wisdoms of ancient Persians and their kings, particularly when Al-Samhūdī quoted the Persian King Kisra. This resemblance can be easily explained when we know that Al-Māwardī had offered his book as a present to the king of his time who was of Persian descent,³²⁰ while Al-Samhūdī drew heavily on of Al-Ghazālī's³²¹ book "*Al-Tibr Al-Masbūk Fī Naṣīḥat Al-Mulūk*" which was written in Persian and later translated into Arabic.³²²

A brief background about Al-Ghazālī's book which is one of the main sources for Al-Samhūdī can be found in Section below.

It is worth noting that Al-Māwardī presented his book to one of the kings of his days; namely, 'Abū Al-Nāṣir 'Aḥmad ibn 'Aḍud Al-Dawlah ibn Būiyah, as he himself confirmed this at the beginning of his book.

b. *Tahdhīb Al-Riyāṣah Wa Tartīb Al-Siyāṣah* by al-Qal'ī:³²³

This book deals with the political life in the Islamic state. It was divided by the author into two parts: A theoretical part, in which the author clarified the importance of leadership, the magnitude of its role, and its vital function. In addition, he specified some qualities and traits indispensable for the ruler. In this part, the author also explained the duties and responsibilities of the *Ummah* towards its leader, such as

320 *ibid*, p 43.

321 'Abū Ḥamid, Muḥammad ibn Muḥammad ibn Muḥammad ibn 'Aḥmad Al-Ghazālī. He was born in 450/1058, in a village called "Ghazālah" near Tūz l in the district of Khurāsān. He died in 505/1111. See: Riḍā Kaḥālah, 'A'lām Al-Mū'allifīn, 11/266.

322 Al-Ghazālī, *Al-Tibir Al-Masbūk Fī Naṣīḥat Al-Mulūk*.

323 Muḥammad ibn 'Alī ibn Al-Ḥasan ibn 'Alī ibn 'Abī 'Alī Al-Qal'ī, died in 630 /1233. See: Riḍā Kaḥālah, 'A'lām Al-Mū'allifīn, 10/317.

obedience, loyalty, and advice.

The other part concerned itself with the practical applications: in which the author cited narratives about caliphs, kings, ministers, and rulers that indicated or demonstrated instances of justice, grace, and advice heeding, during a period ranging from the times of Omayyads to the times of the ʿAlawid Dynasty.³²⁴

The author also combined between ethics and politics, relying on the Qurʾān, Sunnah, emotional exhortation, poetry, and meaningful speeches in constructing the material.

It is worth noting, here, that Al-Samhūdī resembles Al-Qalʿī in many themes like: dispraising the ruler's withdrawal and concealing himself of his people; praising the justice and consultation; dispraising despotic opinions, as well as copiously quoting from the biographies of caliphs and kings.

c. Al-Shifāʾ Fī Mawāʿiẓ Al-Mulūk Wa Al-Khulafāʾ by ʿIbn Al-Jawzī:

This book is considered one of the most important books in this field because ʿIbn Al-Jawzī is a specialist in the style of preaching and advising. The author divided his book into ten chapters that dealt with the virtues and dangers of “*Al-Wilāyah*” [reign]. In this theme, there is a clear resemblance between the author and Al-Samhūdī. The latter included a section in the first chapter of his book entitled “*Faṣl fī Maʿrifat Sharaf Al-Wilāyah*” [Section in Knowing the Virtue of Reign]. ʿIbn al-Jawzī upholds justice and demonstrates the risk of oppression, pointing out what measures a ruler should take in his treatment of his subjects. He mentions a number of benefits from the lives of the Rightly Guided Caliphs and the succeeding sultans. Then, he gives a number of lessons learnt from righteous people and stories of ascetic kings, and ends his book with some supplications and prayers.

324 Al-Qalʿī, *Tahdhīb Al-Riyāṣah wa tartīb Al-Sīyāṣah*. See: the introduction of the editor.

The editor of 'Ibn Al-Jawzī's book says that 'Ibn Al-Jawzī was influenced in his moralistic style by Al-Mawardī.³²⁵ However, in preparing the material for his book, 'Ibn Al-Jawzī relied on some verses of the Qur'ān, sound prophetic sayings, lessons from the Prophet's biography, and on some poetry.

*d. Al-Dhahab Al-Masbūk Fī Mawā'iz Al-Mulūk by Al-Ḥumaydī.*³²⁶

The author of this book tackles the political phenomenon by concentrating on the spiritual dimensions of the ruler and his circles. He then suggests methods for reforming the regime, starting by emphasizing the function of the scholar and his role in giving advice. He mentions issues like justice, prosperity and construction, and consultation. Then he talks about the organization of earning and spending money; cheating subjects and its consequences, rulers' corruption and its repercussions; and the influence of the entourage on the ruler.

The editor of Al-Ḥumaydī's book has this to say about it: "it is one of the early book son exhorting the kings and it does not contain any of Al-Ḥumaydī's views or comments; it merely contains narrations ascribed to certain sources."

325 'Ibn Al- Jawzī, *Al-Shifā' Fī Mawā'iz Al-Mulūk wa Al-Khulafā'*, p 25, edited by Fū'ād 'Abd Al-Min'im 'Aḥmad.

326 Al-Ḥumaydī, the great 'Imām 'Abū 'AbdAllāh Muḥammad ibn Abū Naṣr Futūḥ ibn 'AbdAllāh Futūḥ ibn Ḥamaḃd ibn Yaṣil Al-'Azdarī, Al-Ḥamaydī, al- Andalusī, Al-Mayūrqī. He was a Ṣāḥibī jurist, the associate of 'Ibn Ḥazm and his disciple. Mayūrqah: is an island that contains an inaccessible town which lies towards the eastern part of Andalusia. Al-Ḥumaīdī was born in 420/, 1029, and died in 488/1095. He once said: "my birthday was before four hundred and twenty". See: Mu'jam Al-Mu'allifīn, Ridā Kaḥalah 11/121, 122, and Al-Ghad newspaper's website at: <http://www.alghad.jo/?news=93446>.

*e. Al-Manhaj Al-Maslūk Fī Siyāsāt Al-Mulūk by Al-Shayzarī.*³²⁷

The editor of the book says:

"this book was prepared by its author to be offered as a present to Sultān Ṣalāḥ Al-Dīn Al-'Ayyūbī.³²⁸ The book contained a good deal of political news and information about the past nations. It looked at the events from a moral perspective and linked them to his time and to the political ethics and its role in the process of change."³²⁹

This book is invaluable for its extensive material. Its author divided it into twenty chapters, which, in turn, were sub-divided into sections. It featured themes like: the qualities in a king's personality, especially justice and reason. The same themes appear in Al-Samhūdī's book. Al-Shīrāzī also, mentions the importance of knowing the foundations of the State, the etiquettes of dealing with kings, the importance of

327 'Abd Al-Raḥman ibn Naṣr ibn 'Abd Allah Al- Shīrāzī Al-Ṭabarī. He died in 774/1372. His name "Al- al-Shayzarī " attributed to the city of Shāyzar: a fort in Al-Shām from which a good number of literary men, intelligentsia, and politicians emerged. Some late historians thought he was Persian from the city of "Shīrāz", as he and they are from Shiraz, but the fact is that he was the judge of Ṭabarīyah and the auditor of Aleppo and other cities in Al-Shām. Al-Shayzarī was contemporary to Ṣalāḥ Al-Dīn Al-'Ayyūbī. See: Mu'jam Al-Mu'allifīn, Riḍā Kaḥālah, 5/197,198.

328 Al-Nāṣir Ṣalāḥ Al-Dīn Yusūf ibn 'Aīyūb ibn Shādhī ibn Marwān, 'Abū Al-Muḥafir Al-'Aīyūbī. born in (532-589/1137-1193), one of the most famous Islamic sultans and founder of the 'Ayyūbid Dynasty, liberated Jerusalem after defeating the Crusaders in the battle of Ḥiṭṭīn 1187. Ṣalāḥ Al-Dīn is a great symbol of heroism in the Islamic world. See: Al-'A'lām, by K.Al-Dīn Al-Ziriklī. 8/220, and Al-Zād Encyclopedia for Sciences and Technology, 12/3458, and (wikipedia.org) on the internet.

329 Al-Shayzarī, Al-Manhaj Al-Maslūk Fī Siyāsāt Al-Mulūk, p 6, Al-Manār Library, Jordan, edited by: 'Alī 'Abd 'Allah Mūsā.

knowledge about jihad and fighting, and other important issues. Al-Shīrāzī draws on the Qur'ān, the Sunnah, biographies, history, some stories about the Persian King Kisrā, and other gems of wisdom.

f. *Badā'i' Al-Silk fī Tabā'i' Al-Mulk* by 'Ibn Al-'Azraq:³³⁰

The book is divided into two introductions and four books; each book contains two chapters. Among the key issues tackled in this book was the rationale for investigating the issue of reigning and its prerequisites. The author presented twenty reasons as part of this rationale. He talked about the true nature of monarchy, caliphate and other forms of reigning, as well as about their causes and their prerequisites. The author also addressed the principles and structures of reigning; the importance of applying Shari'ah Law; the training of soldiers; the preservation of wealth; promoting prosperity; upholding justice; problems associated with reigning such as extravagance, developing a personality cult, and concealment from subjects.³³¹

The editor of the book believes that 'Ibn Al-'Azraq's book clarified some vague concepts featured in 'Ibn Khaldūn's *al-Muqaddimah*.³³²

330 Al-Qādī Muḥammad ibn 'Alī ibn Muḥammad Al-'Azraq Al-'Aṣbaḥī, known as 'Ibn Al-'Azraq. He was born in Mālqah in Andalusia in 832/1428, and died in Jerusalem in 896/1490. See: 'A'lām Al-Mu'allifīn, Riḍā Kaḥālah, 11/43.

331 'Ibn Al-'Azraq, *Badā'i' Al-Silk Fī Tabā'i' Al-Mulk*, The Ministry of Information, Iraq, 1997's edition, edited by: Ali Sami Al Nashar.

332 'Abd Al-Raḥmān ibn Muḥammad ibn Khaldūn, born in Tunisia, (732-808 /1332-1406), lived in various northern parts of Africa for approximately 50 years until he settled in Egypt when he reached it in 748/1384 where he stayed for the rest of his life, died in 808/1406. He is the famous historian and the pioneer in modern sociology, left great heritage which impact is still being felt up to our days. See: 'A'lām Al-Mū'alifīn by Riḍā Kaḥālah, 5/188.

g. *Naṣiḥat Al-Mulūk* by Al-Māwardī

Whereas many works have ascribed this book to *Al-Māwardī*,³³³ the editor has reached a conclusion that this book is not *Al-Māwardī's*, and justified his opinion by giving a number of reasons that he mentioned in the introduction to his edition of the book. The book was divided into ten chapters. The author first highlights the importance of providing *naṣiḥah* [advice] to the rulers. He, then, made an account for the ranking of kings, the importance of the king's obedience to Allāh, and the subject's obedience to the king himself. After that he spoke about what corrupts a king. He also mentioned some lessons that treat the hard heart. Then he divided policy into four sections:

1. The Self-enhancement policy - by persistent diligence in seeking knowledge and sitting with scholars;
2. The Elite Policy - by educating them on implementing the orders of Allah;
3. The Public Policy- by administrating justice, reforming the subjects and ensuring access; and finally;
4. The Financial Policy- in terms of its sources and the ways of spending it.

h. *Sirāj Al-Mulūk* by Al-Ṭarṭūshī:³³⁴

This book was offered as a present from *Al-Ṭarṭūshī* to one of the ministers in the Fāṭimī Dynasty. The book is regarded as one of the leading works in this field. The

³³³ Al-Mawardī, *Naṣiḥat Al-Mulūk*, p 5, edited: Dr Fū'ād 'Abd Al-Min'im 'Aḥmad.

Muḥammad Naṣr 'Arif, *Maṣādir Al-Turāth al-Sīyasī Al-'Islāmī*, p 138.

³³⁴ Abū Bakr Muḥammad ibn Al-walīd ibn Khalaf, well-known as 'Abū Bakr Al-Ṭarṭūshī, was born in a town called ṬarṭInūshah Andalusia. He is also known as 'Ibn Randaqah. He was born in 451/1059, and died in 520/1126. See: *Mu'jam Al-Mu'allifīn*, Riḍah Khaḥālah, 12/96.

author has divided his book into sixty four chapters, starting with lessons for the kings, the position of righteous men as rulers, talking about governors and judges with specific focus on the importance of justice for them, and talking about the ideal characteristics of a Sultan and his most important and commendable traits. In addition, *Al-Tartūshī* talked about the rules pertaining to “*Ahl Al-Dhimma*” in the Islamic State and made clear the consequences of persecution. He also spoke about destiny and predestination with a special hint to their laws and rules. He finally concluded by including a number of wisdoms and sayings. However, he made a good use of the narratives and stories from various ancient peoples such as the Arabs, the Persians, the Roman Byzantines, and the Indians as well as the Qur’ān, *Sunnah*, and righteous men's attitudes.³³⁵

i. *Ma’āthir Al-’Ināfah Fī Ma’ālim Al-Khilāfah* by Al-Qalqashandī:³³⁶

This book was offered to the Caliph Al-Mu’tadid Bi Allāh who was acknowledged as a Caliph in 817 AH. *Al-Qalqashandī* divided his book into an introduction, seven chapters, and a conclusion. Within all the divisions of the book, the author dealt with: the concept of Caliphate, its prerequisites and various methods for its implementation. Moreover, the author also dealt with a caliph’s rights from his subjects as well as the subjects’ rights from their Caliph, and the reasons for dethroning a caliph. Later, the author demonstrated in his book all the events of the Muslim Caliphs consecutively

335 *Al-Tartūshī*, *Sirāj Al-Mulūk*, The Egyptian-Lebanese House, 1994's edition, edited by: Muḥammad Fathī ‘Abū Bakr. See the *Muqamimat Al-Muḥaqqiq*.

336 Aḥmad ibn ‘Alī ibn ‘Aḥmad ibn ‘Abd Allah Al-Qalqashnadī. He was born in Qalqashnadah in (756-821/1355-1418). He lived in Cairo. He was a literary man and a Shafi’i jurisprudent. He wrote about the human extractions, and he was a substitute in governing. From his books “*Subḥ Al-’A’shā Fī Sina’at Al-’Inshā’*.” See: *Mu’jam Al-Mu’allifīn*, Ridā Kaḥālāh, 1/317.

from the early days of Islam till the days of Al-Mu'tadid Billah. Lastly, he included some writings written by the Caliphs to the governors and employees throughout the Islamic lands.³³⁷

3.1.6. The Most Prominent Books authored in the days of Al-Samhūdī:

a. *Tāj Al-Dīn Fīmā Yajib 'Alā Al- Mulūk Wa Al-Ṣalātīn* by Muḥammad Al-Mughīlī:³³⁸

In his book, the author was interested in a number of issues such as the necessity of goodwill for a ruler; devotion; getting rid of one's desires; the requirement of good presence and appearance; and of the arrangement of the state. He also focused on the significance of justice saying "a sultanate needs two legs: justice and benevolence." He concluded with the importance of preserving the state's financial resources and the proper ways for their expenditure.³³⁹

337 Al-Qalqashandī, *Mā'athir Al-'Ināffah Fī Ma'ālim Al-Khilāfah*, edited by: 'Abd Al-Sattār 'Aḥmad Faraj.

338 Muḥammad ibn 'Abd Al-Karīm ibn Muḥammad Al- Mughīlī. He is attributed to one of the Barbaric tribes in Algeria. He was born in an unknown year in the city of Tilmisān and died in 909/1503, which some sources say that he died in 921/1515. No detailed information is available about his life. See: 'A'lām Al-Mū'allifīn, Riḍā Kaḥālah, 10/191, and the website of the Kuwaiti magazine "Al- Mujtama"

<http://www.almujtamaa-mag.com/detail.asp?InNewsItemID=101234&InTemplatekey=print>

339 Naṣr Muḥammad 'Arif, *Maṣādir Al-Turāth Al-Sīyāsī Al-'Islāmī*, 194.

b. *Al-Risālah Al-Naṣiriyah Fī Itā'it Al-Sultān*, and *Qadh Al-Dirāsah Fī Minhāj Al-Siyasah*, and *Al-Risalah Al-Sultāniyah*, all of which are by Jalāl AL-Dīn Al-Suyūṭī.³⁴⁰

He was contemporary to Al-Samhūdī. He was also well-known for the abundance of his writings on all the Shari'ah disciplines. His books are but works which have neither been verified nor printed, but only holding similar titles that resemble this section of books and written works.³⁴¹

The foregoing section on the definitions of *Al-Siyāsah al-Shar'iyyah* and its two categories can be regarded as an introduction to a critical study of Al-Samhūdī's work.

3.2. Study of the Work (*Al-Lu'lu' Al-Manthūr Fī Naṣīḥat Wulāt Al-'Umūr*)

3.2.1. General Background about the Work:

It has become clear, throughout the preceding study of samples taken from several works in the *Al-Siyāsah al-Shar'iyyah* in both of its categories; the one related to jurisprudence, and the other one related to moral preaching, that some of those books were written either to a specific Caliph, or a certain sultan, whereas other works were written for the sake of offering general advice that could be of advantage for every

340 Jalāl Al-Dīn 'Abū Al-Faḍil 'Abū Al-Raḥman ibn Al-Kamāl 'Abū Bakr ibn Muḥammad Sābiq Al-Dīn Al-Khudīrī Al-'Aṣṣiyūṭī Al-Shafī'. He was born in 849/1445, and died in 911/1505 in his house in Rawdat AL Mikiyas. He was buried in Ḥūsh Qūṣūn outside the gate of the cemetery. See: *Al-'A'lām*, by K. Al-Dīn Al-Ziriklī., 3/301.

341 Naṣr Muḥammad 'Arif, *Maṣādir Al-Turāth Al-Sīyasī Al-'Islāmī*, p 195.

Caliph or Sultan - whatever the time or place. In examining Al-Samhūdī's work, we cannot clearly determine for which caliph or sultan Al-Samhūdī wrote his work, since his statements were general in tone and reference. Take, for instance his phrases like, "*Oh King of the time*"; "*Oh who is reading this book*"; "*the ruler should know that*"; or "*what a king has to undertake*". Moreover, neither the books of history and biography nor the books written by Al-Samhūdī himself guide us to decide if he had written this book for a certain king or caliph. Yet it seemed to be written for a king or a sultan in Egypt during Al Samhūdī's lifetime. This could be inferred from the names of some Egyptian provinces³⁴² referred to throughout the work.

In addition, al-Samhūdī described a number of problems that existed in the country he lived in at the time, especially when he wrote about the building of bridges and water canals that were in real need for care. He also mentioned in the book "*Ahl Al-Dhimma*" living in the Muslim country, and their attainment of sensitive positions in the state. Al-Samhūdī included in his book further issues such as the raising and monopolizing of prices; the dominance of tax collectors over the people, and many other events that took place in those days. From all of what has been mentioned, it has become quite conspicuous that Al-Samhūdī merely wanted to call the sultan's or caliph's attention to such events and problems.

3.2.2. Structure & Contents of the Work

Al-Samhūdī divided his book into four chapters and put them as follows:

- In the first chapter, he included three sections.

³⁴² Naṣr Muḥammad ʿArif, *Maṣādir al-Turāth al-Sīyasī al-ʿIslāmī*, p 196.

- In the second chapter, he included eight sections.
- In the third chapter, he included only one section.
- In the fourth chapter, no sections were included.

Al-Samhūdī stated in the introduction of his book that in compiling his book's material he relied on eight sources:

- *Al-Jāmi' Al-Ṣaghīr Fī Ḥadīth Al-Bashīr Al-Nadhīr* by Al-Suyūṭī
- *Bidāyat Al-Hidāyah* by Al-Ghazālī.
- *Al-Tibr Al-Masbūk Fī Naṣīḥat Al-Mulūk* by Al-Ghazālī.
- *Mu'īd Al-Ni'am wa Mubīd Al-Niqam* by Al-Subkī.
- *Fākihāt Al-Khulafā' Wa Mufākahāt Al-Zurafā'* by Ibn 'Arab Shāh.
- *Qam' Al-Nufūs* by Al-Ḥiṣnī.
- *Al-Siyāsah fī Tadbīr al-Mamlakah wa Ḥifẓ al-Riyāsah* by al-Ṭarsūsī.
- *Tahdhīb al-Riyāsah fī al-Ḥukm wa al-Siyāsah* by Al-'Ahwāzī.

I am going to study Al-Samhūdī's sources in the section of the critical study of the work. After the author had finished listing his sources, he went on to mention his first chapter which he titled as *fī Faḍl Al-'Aql wa Ta'rīfih* [About the Merit of the Intellect and its Definition], arguing that he initiated his book with the mind because according to the Qur'anic verse: {in this [Quran] is a sign for those who are wise}." ³⁴³ Allah the Almighty address in his Qur'an only mindful people. Then Al-Samhūdī said that Allah the Almighty has based the world system on two things: Command and Prohibition, both of which are based on the existence of the mind.

³⁴³ Sūrat Al-Nāhl "The Bees" 67.

Later he defined the mind and divided it into two parts: innate mind and acquired mind, mentioning its merit and status, citing some Qur'anic verses, Prophet's sayings and stories in support of his view. The sections were as follows:

Section One: *Fī Maʿrifat Sharaf Al-Wilāyah* [In Recognizing *the Honour of Reign*]

In this section he demonstrated the merit and status of “wilāyah”, i.e., the caliphate, and that it is a great honour from Allah to the caliph.

Section Two: *Fī ʿAdāʾ Shukr Niʿmat Al-Wilāyah* [In *Thanking the Grace of “Wilāyah”*]. After he had spoken about the merits of “*Wilāyah*”, he went on to urge people who assume the responsibility of the “*Wilāyah*” to thank such grace by administering justice and abstaining from tyranny and persecution.

Section Three: In the saying of the Prophet Muḥammad (PBUH): “*Woe to the Arabs of an evil drawing nigh.*” In this section, he said that Prophet Muhammad, peace be upon him, had foretold that some changing would occur to the Arabs after his death, and that they would kill each other again. Al-Samhūdī emphasized that this would happen due to abstaining from administering justice and to the predominance of persecution.

Chapter Two:

In mentioning what the Caliph has to do as well as what measures he should take and what things he has to be conscious of: Al-Samhūdī began this chapter by asking a question: *How many traits does a sultan need to be just?* Then he answers: “He needs a thousand traits, all of which are incorporated in two separate traits. If he apply these two traits, he would then be just. The two traits are: security for people; and prosperity for the country.

Then, he spoke about justice and mentioned its advantages citing some Qur’anic verses prophetic sayings and some examples and wisdoms. Then he divided this

chapter and put in the **first section** of this chapter: Injustice and the consequences that would emerge if not eliminated. This section can be regarded as the smallest in size in comparison with the other sections as it only consists of three lines.

Then he moved on to the **Second Section** giving it this title: *Duties of the Ruler*. to be assiduous and true to his promises; to not be a liar; to not become conceited by people's praise; to not give in to his desires when imposing the rules of punishment or rebuking a wrongdoer; and to carefully verify the information he receives with no precipitancy.

Third Section, was called : Leaving desires of the Self: In this section the author gives a depiction of the consequences of following the desires of the self, and that he who follows his desires his mind is blocked away.

Fourth Section was dedicated to: Opinion and Good Management: In this respect, he says that opinion is mind's sword. He also mentioned five traits for a king and emphasized on the meaning of king's good manners. The meaning of justice is repeated many times in this section.

Fifth Section was called: about consultation [Mashūrah] and seeking guidance [Istikhārah]: Al-Samhūdī emphasized the necessity of Mashūrah and Istikhārah for the king. Also, he mentioned in this section that a king has to look after the Muslims and to contemplate on their crimes. He again highlighted justice especially “Al-Qiṣās” [punishment in kind, eye for an eye] warning the king of being remiss in this or dare to kill a soul. At the end of the section, he emphasizes on the importance of being close to working scholars and preserving their opinions. Once again, this section contains within its lines the meaning of justice and the emphasis on it.

Sixth Section is about the justice by which the ruler has to rule: Al-Samhūdī began

this section by the Qur'ānic verse {Allah commands justice and benevolence.}³⁴⁴ Then he mentions the importance and the advantage of justice narrating some anecdotes demonstrating the meaning of justice.

Seventh Section: On banning employment of “Ahl Al-Dhimmah”: This section is a description of the status of “Ahl Al-Dhimmah” in his time. He gathered evidence from the Qur'an, Sunna, and from the attitudes of the Prophet's Companions as to why they should not employ “Ahl Al-Dhimmah”. This was due to the fact that “Ahl Al-Dhimmah” in his time filled sensitive positions which they used to humiliate the Muslims. In this section, Al-Samhūdī warned the rulers of preferentially treating “Ahl Al-Dhimmah” in and of siding with them, explaining the bad consequences of such action.

Eighth Section: on persuading against concealment from people:

Al-Samhūdī advised kings and rulers not to hide away from their people, look after their people's needs and demands. He also mentioned examples urging rulers not to conceal themselves of their people.

As mentioned before this chapter includes more than one reference to justice. Al-Samhūdī affirmed the importance of rulers' attendance to water falls, dams, bridges and construction materials as well as taking care of animals used for maintenance. This shows his tendency to describe his era in detail and direct the attention of rulers to the welfare and living conditions of people.

Al-Samhūdī also emphasized the issue of ‘*Ihtisāb*’ [weights and measures control] and urged rulers to pay more attention to this post, and to investigate disasters encountering ordinary people such as poverty, drought, or high prices, to fix these

³⁴⁴ Surat Al Nahl (The Bees), 90.

problems themselves. He did not trust the “Mūhtasibīn” [price controllers] of his time saying: "they are traitors; rulers should not trust them: they do not fear Allah, do injustice to people and monopolize goods". He described their deeds in details; how they manipulate markets and goods and the consequences of that on the prices which lead people to commit crimes.

Al-Samhūdī concluded this chapter by the necessity of advising rulers to be honest with their people, not to cheat them, and stop them from doing injustice to one another, and to put an end to bribery committed by some workers.

Chapter Three includes news, historical incidents, advices and recommendations based on past incidents that encountered kings of the past. Those were examples for rulers to follow. In this chapter he also stated the required knowledge for any ruler; he should know something about everything.

Additionally, Al-Samhūdī narrated stories and lessons, mostly on justice. He also mentioned the biographies of Abū Bakr and ‘Omar, and incidents in the lives of ‘Omar ‘Ibn ‘Abd Al-‘Azīz, Mu‘āwiyah, and Hārūn Al-Rashīd. He included verses of poetry of preachy nature urging and encouraging rulers to be just, pious and to guard religion.

Section one: on what should be done on choosing ministers:

This is the only section in this chapter. In this section Al-Samhūdī stressed the importance of choosing wise, honest men as ministers. He warned against ministers who collect fortunes and abuse their posts.

Chapter Four: on the benefits, advantages proved by experience:

In this chapter Al-Samhūdī mentioned some glorifications and prayers useful for people and rulers especially at the time of war.

3.2.3. The Sources of Al-Samhūdī

Introduction to Al-Samhūdī's Sources and Comparison with the Work

Al-Samhūdī in the beginning of the work mentions that he collated the content for his book titled “*al-Durr al-Manthūr fī Nasīhat Wulāt al-Um ūr*” (Pearls of Advice to Rulers) from eight books:

- *Al-Jāmi‘ Al-Ṣaghīr Fī Ḥadīth Al-Bashīr Al-Nadhīr* by Al-Suyūṭī
- *Bidāyat Al-Hidāyah* by Al-Ghazālī.
- *Al-Tibr Al-Masbūk Fī Naṣīhat Al-Mulūk* by Al-Ghazālī.
- *Mu‘īd Al-Ni‘am wa Mubīd Al-Niqam* by Al-Subkī.
- *Fākihāt Al-Khulafā’ Wa Mufākahāt Al-Ẓurafā’* by Ibn ‘Arab Shāh.
- *Qam‘Al-Nufūs* by Al-Ḥiṣnī.
- *Al-Siyāsah fī Tadbīr al-Mamlakah wa Ḥifẓ al-Riyāsah* by al-Ṭarsūsī.
- *Tahdhīb al-Riyāsah fī al-Ḥukm wa al-Siyāsah* by Al-’Ahwāzī.

One of the major obstacles in this study was the difficulty in locating these references, with success in finding the first 5 only.

The aim of this section is twofold: first to introduce these sources and the relevant topics within, and second to prove that al-Samhūdī depended on them, and gauge the extent he was influenced by them; further, presenting the salient quotes and material he took from them. It is notable that each one of the sources used by al-Samhūdī is unique in terms of its authorship, compilation and organisation. However, it is clear that all address the etiquettes of monarchs and sultans, and advice tendered to them. Al-Samhūdī’s use of material from these books ranged from literal word-for-word quotes to generalised meanings.

1. *Bidāyat al-Hidāyah* by al-Ghazālī³⁴⁵

This book is considered one of the important references used by al-Samhūdī, especially in the area of etiquettes and manners, and is renowned in this regard. This book was well received among Muslims generally, and students of knowledge especially. It was suitable as an introductory text for preparing the student of religious knowledge, and so began by classifying people into three groups in terms of seeking knowledge. They were: the successful one who seeks knowledge for the sake of Allah and the Hereafter. One, who al-Ghazālī considered a loser unless he repents before death, since he seeks knowledge for worldly gain. A third who uses his knowledge as means to amassing wealth and showing off; he is in perdition.³⁴⁶

The book is divided into two parts:

- Part one includes the acts of worship:

The etiquettes of going to sleep and waking up, etiquettes of going to the toilet, etiquettes of ablution (*Wudu'*), supplications (*Duā'*) during ablution, what must be avoided during ablution, etiquettes of washing (*Ghusl*), etiquettes of *Tayamum*, etiquettes of entering and leaving the mosque, etc.

It also contains: etiquettes after supplication, comprehensive supplications, the supplication of Prophet 'Isa (Jesus), four items after Fajr prayer, namely supplication, invocations, reading Qurān, and reflection. The 10 words, which are 10 invocations

345 He is Abū Ḥāmid, Muḥammad ibn Muḥammad ibn Muḥammad ibn Muḥammad ibn Aḥmad al-Ghazālī born in 450/1058 in the village of Ghazālāh close to Ṭūs in Khurasān region. He died in 505/1111.

346 See: Al-Ghazālī, *Bidāyat al-Hidāyah* [in Arabic], revised by: Muḥammad al-Ḥajjār, 9th edition, Beirut: Dar al-Bashāy'ir al-Islāmiyah, 2001, p.19.

which al-Ghazālī considered to have huge significance and reward. He followed this with the etiquettes after sunrise, etiquettes of preparing for prayer, etiquettes of sleep, leading the prayer, the Friday prayer, and fasting.

- The second part, which he named avoiding sin, included the following: preserving the eye, ear, tongue, stomach, genitals, hands, and feet. He then mentioned the sins of the heart, which are: envy, *Riyā'* [showing off], and arrogance, as well as the cure for pride (arrogance). He followed this by calling attention of the seeker of guidance to the etiquettes of companionship, knowledge, and the learner. He also focused on the etiquettes of the son or daughter with their parents, and followed this by speaking about the conditions of companionship and its rights. Al-Ghazālī concluded his book by explaining the etiquettes of relations, i.e. among relatives and friends, as well as distinguishing between enemy and friend.

The following are topics that Al-Samhūdī took from the book of *Bidāyat al-Hidāyah* by al-Ghazālī:

- **Listening:**

Reading through the book, *Bidāyat al-Hidāyah*, we see that Al-Samhūdī has tackled the issue of listening, which had been treated by the Al-Ghazālī in the second part of his book under the title of "preserving the ear".

Al-Ghazālī states:

"Preserve the ear from use in listening to innovation in religion, backbiting, foul language, engaging in corruption, or speaking ill of people... if you use it to listen to matters that are prohibited or detested than what was for you will turn against you, and the reasons for success will become reasons for loss. This is the greatest of loss. Do not think that the sin will count only against the

speaker rather than the listener, in the tradition (the listener is partner to the speaker, and party to the backbiting.)"³⁴⁷

We find Al-Samhūdī has extracted and developed a new meaning from those of al-Ghazālī that is relevant to rulers, i.e. not listening to the first instance of news. He says:

"The ruler must not listen to the first version of news. If he acts on that information without verifying it, then he has committed a gross injustice: injustice is cause for Allāh to abandon him."³⁴⁸

Here, we find al-Samhūdī directly advising the ruler not to listen to the first bearer of news, which he deduced from al-Ghazālī's advice to protect and preserve the ear.

- **Arrogance is a sin of the heart:**

Al-Ghazālī warned of a number of reviled characteristics of the heart, and advised that the heart be purified of their ill effects. He explains that he had compiled these in the parts called (*Rub' al-Muhlikāt*) and (*Rub' al-Munjiyāt*) in his book *Ihyā' 'Ulūm al-Dīn*. He focussed on three characteristics: envy, *Riyā'*, and vanity, and concluded with mention of the cure for arrogance.³⁴⁹

As for al-Samhūdī, he warns the ruler: "the roots of sin are three: arrogance, greed, and envy, and the ruin of monarchs lies in three: sin, injustice (oppression), and not

³⁴⁷ Ibid, p.159.

³⁴⁸ Cf. p.35 of this thesis.

³⁴⁹ Al-Ghazālī, op. cit., pp.180, 186.

seeking nor heeding counsel.”³⁵⁰

In another part, al-Samhūdī mentions that: “he should not envy anyone except his predecessors—those monarchs known for good governance, sound judgement, and correct policies.”³⁵¹

From the foregoing, it becomes clear that the issue of sins, chief among them--vanity, had preoccupied both Al-Ghazālī and Al-Samhūdī after him. They both focused on vanity explicitly, perhaps because vanity not the rest of the sins is an affliction of the nobility more than the common people. Generally, we do not see a poor person who is vain, but in the majority of cases we find it among monarchs and sultans, due to the environment, power and status that they wield over people. Hence, they more than most are at risk from contracting vanity. Therefore, we find Al-Samhūdī focus on it, having taken it from Al-Ghazālī who presented it as a general meaning, then made it specific to monarchs and sultans.

- **Beware of those close to you more than those afar:**

Al-Ghazālī mentioned the etiquettes of companionship of relatives and friends, while warning of them. He said:

"Beware of them, for you shall not see evil except from one you know. A friend will aid you, and the stranger will not accost you, rather all the evil is in the relations (i.e. relatives) who show friendship with their tongues...."³⁵²

As for Al-Samhūdī, he specified this for the ruler by saying: "His caution must be

350 Cf. p.107 of this thesis.

351 Cf. p.34 of this thesis.

352 Al-Ghazālī, op. cit., p.205.

heightened with respect to those close to him, more than those far away.”³⁵³ This is because the time in which Al-Samhūdī lived—Mamlūke rule—was characterised by the many coups, and competition over the throne, especially among family members. Therefore, Al-Samhūdī warned of this matter, which brought lack of stability and security, and negatively impacted the Muslim society.

2. *al-Tibr al-Masbūk fī Nasīḥat al-Mulūk* by Al-Ghazālī:³⁵⁴

This book was the most influential on al-Samhūdī, because both had a common goal. Al-Ghazālī’s book as is clear from its title tackled the issue of tendering advice to monarchs, as was the aim of al-Samhūdī’s book. Al-Ghazālī’s book is considered the one most similar to al-Samhūdī’s in terms of topics and organisation of its main chapters.

In the description of this book, it was said that Imām al-Ghazālī authored it in Farsi for one of the Seljuk sultans. Later, it was translated into Arabic. The book covered the following topics:

- The rule of creed, which is the basis of belief. He mentioned 10 fundamentals of creed as a foreword to his advice to the King.
- Description of the two springs, by which Al-Ghazālī meant those sources of water that feed the tree of belief. By the first, he meant knowledge of the world and reason for man's existence. By the second, he meant knowledge of the state of the human being on the day of judgement.

Al-Tibr al-Masbūk fī Nasīḥat al-Mulūk by Al-Ghazālī features the following structure:

³⁵³ Cf p.34 of this thesis.

³⁵⁴ Previously introduced.

- Chapter 1: mentions justice and politics, and is divided into two sections.
- Chapter 2: on ministerial policy.
- Chapter 3: on scribes and their etiquettes.
- Chapter 4: on the high motivation of monarchs.
- Chapter 5: on the quality of forgiveness possessed by wise persons.
- Chapter 6: on the noble stature of mind and intellect.
- Chapter 7: on women.³⁵⁵

This is one of the important books that Al-Samhūdī depended upon, as is apparent from the following:

- There is a close match in the style of admonition directed to rulers used by both Al-Ghazālī and Al-Samhūdī. This appears in their treatment of events and mistakes that they witnessed in their societies, especially relating to rulers.
- The mention of stories relating to non-Arab ancient philosophers and monarchs in their books as a means of reinforcing their admonition.
- The great degree of similarity in chapters and sections in the treatises of both Al-Ghazālī and Al-Samhūdī. For instance, Al-Ghazālī's first chapter deals with justice and politics, which is covered by Al-Samhūdī throughout his work.

The most important quotes and content taken by Al-Samhūdī from Al-Ghazālī:

- Encouragement of the ruler to sit with the scholars, and the recommendation to seek their counsel:

Al-Ghazālī in his book, states:

³⁵⁵ Al-Ghazālī, *al-Tibr al-Masbūk fī Nasīhat al-Mulūk*, (translated from Farsi to Arabic by one of his students), ed. Aḥmad Shamsuddīn. (Beirut: Dar al-Kutub al-‘Ilmiyyah, 1988), p.3.

"O' Sultan, rule is perilous, its burden is excessive, an explanation of this will be long. The ruler is not delivered safely except by seeking scholars of religion to teach him the way of justice, and ease for him the peril of his duty."³⁵⁶

Al-Samhūdī emphasises this in stating:

"... The most fit person for rule, is one whose heart is for religion, and his intellect and opinion abode of knowledge and good practice; his company is that of scholars, and his privy council those offering opinion and the wise."³⁵⁷

Here we see the importance of the company of scholars for rulers in the consideration of both authors, since the scholar improves the ruler's personality and guides him.

○ **The obligation of scholars to tender advice to monarchs:**

Al-Ghazālī states—after mentioning a number of stories and morals relating to some Caliphs and nobles—

"the ruler must... accept advice tendered to him by others. Whenever he meets a scholar he must ask him to advise him. Scholars must advise monarchs with such admonition; they should not deceive them, nor withhold the truth from them; whoever deceives them, then he is their partner and associate [in wrongdoing.]"³⁵⁸

Al-Samhūdī also emphasised this meaning, in his statement:

356 Ibid, p.18.

357 Cf. p.15 of this thesis.

358 Al-Ghazālī, al-Tibr al-Masbūk fī Nasīhat al-Mulūk, p.21.

"it is obligatory on the scholars of Islam to exert effort in rendering wise counsel to the ruler. If they become aware of a matter which harms Muslims, while the ruler is unaware, then they must notify him, and make him party to their knowledge, preventing him [from wrongdoing], and awakening him."³⁵⁹

It is apparent from the two previous quotes, that there is similarity between Al-Ghazālī and Al-Samhūdī in encouraging scholars to provide admonition and advice to the ruler. However, Al-Ghazālī also requested that the ruler actively seek out the advice and counsel of scholars, and made it the responsibility of both parties. In contrast, Al-Samhūdī made that the responsibility of the scholars only.

- Encouragement to establish justice and desist from oppressive and unjust behaviour:

Al-Ghazālī was not satisfied with only encouraging the ruler to establish justice in his personal sphere, rather that this should extend to his governors and associates. He states in the third fundamental:

"... you must not be satisfied in not practising injustice with your own hand, but must rein in your slaves, friends, governors, and representatives, and must not accept injustice on their part. You shall be accountable for their injustice, as much as you are accountable for the injustice done by your own hand."³⁶⁰

Al-Samhūdī wrote a whole section entitled: "Expressing gratitude for the blessing of rule". He began by addressing the ruler:

³⁵⁹ Cf p.73 of this thesis.

³⁶⁰ Al-Ghazālī, *al-Tibr al-Masbūk fī Nasīḥat al-Mulūk*, p.21.

"... and gratitude for the blessing of rule is articulated by using it justly, and abstaining from oppression. If the ruler deals with his subjects justly, and establishes justice among them, while avoiding oppression and its like, then his rule will be prolonged. If he uses oppression, and endorses injustice, then the fear is that this blessing will be wrested from his hand. The favour of Allah, if thanked will dwell, however if not, takes flight."³⁶¹

Al-Ghazālī emphasised that the ruler must establish justice in himself, and ensure that it is the case among his governors and representatives, allied with his fear of the reckoning on the day of judgement. Yet, al-Samhūdī expands on this, and dedicates an entire section to this issue, where he encourages the ruler to establish justice, warning him of injustice and oppression, explaining that the continuation of rule is through justice, and its downfall through injustice. All this by stressing the idea that rule is a blessing from Allah that must be thanked by establishing justice, and so guaranteeing its continuation.

○ **Appreciating the status of intellect[*‘Aql*] and its merit:**

Both scholars in their writings dedicated a special part to the intellect and its merit. While Al-Ghazālī placed it in the penultimate chapter of his book,³⁶² Al-Samhūdī place it at the beginning, explaining his reasons why. Al-Samhūdī and Al-Ghazālī began the section with the Ḥadīth on the intellect, yet Al-Ghazālī restricted himself to a number of stories that spoke about some noble persons. As for Al-Samhūdī, he wrote that the intellect is a favour given by Allah to the ruler, by which he is able to

³⁶¹ Cf. p.22 of this thesis.

³⁶² Al-Ghazālī, *al-Tibr al-Masbūk fī Nasīḥat al-Mulūk*, p.115.

preserve his power: he also added some definitions for the intellect and mind.³⁶³

It is notable that Al-Samhūdī had attended to the intellect as an essential element in the personality of the ruler. This is clear through his use of Qur'ānic verses, *Qudsī* and Prophetic Ḥadīths, sayings of the Companions, *Tabi'ūn* (generation after the companions) and wise men, as well as quoting poetry. He made great effort in documenting the stories and tales about nobles and rulers endowed with intellect and justice, even if they were not Muslims, e.g. Anū Sharwān. He also used examples of people whom of Allah had granted flawless intellect.

○ **Attributes of ministers:**

Al-Ghazālī dedicated the second chapter of his book to "Policy and biography of ministers." Here he mentioned the importance place occupied by the minister in preserving the rule, and that the ruler must employ ministers who are true and tender good advice. In citing the story of Moses, he mentioned that the prophets, could not do without ministers, and so those below them in level.³⁶⁴

As for Al-Samhūdī, he dedicated a whole section entitled "Description of those to be taken as ministers." He encouraged to the ruler to employ ministers who were wise and tendered advice, saying:

"Know that the king must take ministers who are wise, eloquent, tender advice, righteous, and knowledgeable in managing affairs. If he were not in need of their services, Allah would not have said of His Prophet Mūsa, peace be upon him: { *With him we sent his brother Ḥārūn as minister.* }³⁶⁵

³⁶³ Cf p.10 of this thesis.

³⁶⁴ Al-Ghazālī, *al-Tibr al-Masbūk fī Nasīḥat al-Mulūk*, p.83.

³⁶⁵ cf p.153 of this thesis.

Both Al-Ghazālī and Al-Samhūdī stressed avoiding the appointment of young ministers. Al-Ghazālī said: "the Minister must be a knowledgeable and wise old man, since youths even though they may be wise, lack the experience of age. People can only learn the experiences of life from the old and wizened."³⁶⁶

As for Al-Samhūdī, he says: "Among the lessons learnt from the downfall of kingdoms is mimicking youthful ministers, those who do not have experience of matters, and moreover not reflecting upon the consequences."³⁶⁷

In conclusion, it is clear that Al-Samhūdī depended in his book on presenting stories and incidents containing morals and meanings, which are relevant to the character that Al-Samhūdī wishes to call the ruler's attention to. This is similar to Al-Ghazālī's style in presenting a variety of selected stories and admonitions.³⁶⁸

This is considered one of the most common styles of admonition use by scholars. It is also notable looking at the pages listing the topics of both books, to see the great similarity between Al-Samhūdī and Al-Ghazālī in the titles of the various headings, among these the parts on intellect, justice, and ministers. This is evidence that Al-Samhūdī borrowed from Al-Ghazālī the methodology of the main topics needed by the ruler, however he differed from him in the mode and content of presentation.

3. *Mu'īd al-Ni'am wa Mubīd al-Niqam* by Al-Subkī³⁶⁹

Tāj al-Dīn al-Subkī wrote his book to explain what preserves the favour given by

³⁶⁶ Al-Ghazālī, al-Tibr al-Masbūk fī Nasīhat al-Mulūk, p.25.

³⁶⁷ cf p.156 of this thesis.

³⁶⁸ Al-Ghazālī, al-Tibr al-Masbūk fī Nasīhat al-Mulūk, p.122.

³⁶⁹ Previously introduced.

Allāh to the human being in this life, and drives away harm and difficulty. Each individual given a favour by Allāh must express gratitude for it, and put it in the service of obedience of Allāh. He then goes on to mention the jobs and positions of his time, including government office and others. He expands in great detail on the requirements of each job and role. He also mentions the relevant rule of *Sharī'ah* law applicable to that job, such that work is performed correctly. In such a way, an ideal and righteous society will be established in this life. He was helped in this undertaking by his great proficiency in *Fiqh*, experience of his time, and knowledge of affairs of the state and classes of people... he mentions the classes of people in his time through 112 examples.³⁷⁰

The book is divided into three parts:

- A short introduction explaining the reason it was written, and the author's theory on what preserves Allah's favours, and restores them if they are removed.
- A short conclusion on the merits of tribulation through removal of favours.
- Practical examples, in which Tāj al-Dīn al-Subkī presented the classes of the nation, both government and people, providing examples of the duties of each class.

The topics presented by Al-Samhūdī in his book bear great similarity to many of the topics mentioned by al-Subkī, especially relating to the *Khalīfah*, who is the ruler, minister, and responsible for oversight and audit. Among these are the following:

○ Gratitude for the favour of rule:

Before entering into the description of public office, and explaining how the favour of such position could be thanked, al-Subkī gave two examples for the eye and ear. He

370 See: Tāj al-Dīn Abd al-Wahāb al-Subkī, *Mu'īd al-Ni'am wa Mubīd al-Niqam*, eds. Muḥammad 'Alī al-Najjār, Abū Zayd Shalabī, third edition, 1996. Editor's foreword, p.xi.

said that thanking the favour of the eye is that it should not be used to look at what is prohibited. He added that thanking the favour of the ear is that it must not be used to listen to what is prohibited. He went on to clarify how the favour of rule is thanked, and explain the position of the ruler in terms of the favour given him by Allāh: "... you must thank the favour of rule... and know that you and your subjects are equals...."³⁷¹

We previously mentioned that Al-Samhūdī wrote a section entitled *Gratitude for the Favour of rule*, in which he directed his words to the ruler saying:

"Know that every favour has a gratitude to be expressed that is unique to it. In the same way that gratitude for the favour of sight, is expressed by turning it away from looking at what Allāh has prohibited. Gratitude for every sense and limb is by using it for the purpose it was created. Gratitude for the favour of rule is expressed by acting with justice, and desisting from injustice and oppression."³⁷²

It is clear from the above that Al-Samhūdī had more or less literally taken from al-Subkī on the issue of expressing gratitude for the favour of sight and the other senses, as well as that of rule. Moreover, Al-Samhūdī quoted al-Subkī directly in stating: "every favour that is not thanked is due to be taken. The favour of Allāh, if thanked will dwell, however if not, takes flight."³⁷³

371 Ibid, p.13.

372 cf p.22 of this thesis.

373 Al-Subkī, op. cit., p.3.

Al-Samhūdī states: "The favour of Allah, if thanked will dwell, however if not, takes flight."³⁷⁴ It seems that he was greatly influenced by al-Subkī in this part relating to thanking the favour of rule.

- Reminding of the obligation of *Jihād* in the path of *Allah*

Al-Subkī said:

"... we remind of duties neglected by monarchs. Among the duties of sultans is recruitment of soldiers, and establishment of the obligation of *Jihād* to glorify the word of Allāh. Allāh did not give him [the sultan] rule over the Muslims, to be a leader, eating, drinking and relaxing, rather to support the religion and raise the word [of Allāh]...."³⁷⁵

Al-Samhūdī states:

"I wished to remind our rulers what they forgot of the *Shari'ah*, and bring their notice to what they have neglected of its high rulings, from what I know of their due share of concern to raise the word of religion, and perform the duty of Jihad, confronting the disbelieving aggressors. This is part of Jihad that is obligatory upon observant rulers."³⁷⁶

It seems that Al-Samhūdī was more lenient towards the rulers than al-Subkī, inviting them to perform *Jihād* using gentle words.

- *Al-Muhtasib*

374 cf p.22 of this thesis.

375 Al-Subkī, op. cit., p.60.

376 Cf p.69 of this thesis.

Al-subkī states:

"the *Muhtasib* must look into supplies, and remove hardship from Muslims in terms of their needs; he must exercise great care in regard to food and drink. Setting prices is prohibited at all times, and it has been said: it is permissible during times of high prices, especially in the land of Sham."³⁷⁷

As for Al-Samhūdī, he expanded in discussing the role of al-*Muhtasib*. In summary, he said that it is an obligation and a duty upon those in authority to focus their efforts on the job of *Muhtasib*³⁷⁸.

He also said:

"it is an obligation upon the ruler to look into the affairs of his subjects, during times of difficulty, such as lack of provisions, drought, or high prices, where he must attend to matters personally, and not leave this to others, because the *Muhtasibs* of these times are evil and deceitful."³⁷⁹

4. *Fākihat al-Khulafā' wa Mufūkahat al-Zurafā'* by ibn Arab Shāh

The title of this book does not easily divulge its true subject, but hides its human, intellectual, and political content by using animal characters. This book discussed issues of the political system expressed by animal protagonists. It is similar to the famous book of tales "*Kalīlah wa Dimnah*" in using dialogue between animals to discuss moral issues. The difference between the two books is that "*Kalīlah wa*

377 Al-Subkī, op. cit. pp.65-66.

378 Cf p.100 of this thesis.

379 Cf p.101 of this thesis.

Dimnah' was restricted to issues of wisdom and manners, while ibn Arab Shāh's book was dedicated to political issues.³⁸⁰

This book contains hundreds of symbolic stories narrated through animal characters which appear superficially amusing, but intrinsically contain political meaning relating to government. The book revolves on two principal axes: one is justice in its total meaning, including political, security, economic, and social. The second is the intellect and so invites creativity. It emphasises that justice is the basis of rule, and intellect the basis of awareness, and a combination of both achieves an ideal society.

The book is divided into 10 chapters:

Chapter 1: mentions the Arab monarch which was the *raison d'être* of the book.

Chapter 2: on the advice of the non-Arab monarch distinguished from others by his goodness and rule.

Chapter 3: on the rule of the Turkish monarch with his ascetic father in law.

Chapter 4: in the study of the human world with the genie Jan-Jan.

Chapter 5: tales of the king of Lions, and his companions the Prince of foxes, and the elder of hyenas.

Chapter 6: tales of the Eastern goat and the African dog.

Chapter 7: mention of the fighting between hero of the heroes (al-Rebal) and Abū Daghfal, the Sultan of elephants.

Chapter 8: on the wisdoms of the ascetic lion, and the parables of the escaped camel.

Chapter 9: mention of the king of birds—the vulture, and the two partridges that escaped punishment.

380 ibn Arab Shāh, *Fākihāt al-Khulafā' wa Mufākahāt al-Zurafā'*, ed. Ayman Abd al-Jābir al-Bihayrī, 2001, p.7.

Chapter 10: in dealing with enemies, companions, and policy towards subjects and the beloved.³⁸¹

The topics in which Al-Samhūdi resembled ibn Arab Shāh were the following:

○ **The merits of intellect and company of the wise:**

Ibn Arab Shāh says: "Know king of the time that the best thing in man's existence, and the best jewel he possesses is his intellect."³⁸²

He also said: "The intellect has been likened to a high mountain that is difficult to reach. Everyone who wishes to climb upon it, is not able to except through one path, which is the company of the wise."³⁸³

Al-Samhūdi says: "and that his company (i.e. the ruler) are the scholars, and his council is from those wise persons who offer opinion."³⁸⁴

As for Al-Samhūdī, we have said previously that he was influenced by al-Ghazālī in this topic, and we clarified some of the quotes taken from Al-Ghazālī, which are similar to those of ibn ‘Arab. However, Al-Samhūdī seems to have copied exactly from ibn ‘Arab: "the Creator of the world based matters of beginning of life and end in the Hereafter, and the life between them, to be deduced by way of two great guides:

- Intellect (the mind), which is the basis of responsibility.
- The rules of the noble Sharī’ah.

Al-Samhūdī says: "Know reader, that the Creator of the creatures grounded the affairs of His servants in this life and the Hereafter on two great guides:

381 Ibid, p.30.

382 Ibid, p.39.

383 Ibid, p.440.

384 Cf p.15 of this thesis.

- Intellect (the mind), which is the basis of responsibility.
- The rules of the noble Shari'ah.

However, Al-Samhūdī expanded on this, in his treatment of the meaning of intellect, more so than ibn Arab, yet he took this rule from him, as is clear.

○ **Qualities required in the king:**

Ibn 'Arab Shāh says:

"... it has been said: the justice of the Sultān is better than fertility of the season, and if the king is not compassionate towards his subjects, good, or gentle, and he did not forgive those who erred, seeking their supplication for him, is consumed by his love for them, kindly towards the kind amongst them, working to preserve their peace, then it is best for them to migrate from his realm, and move out of the reaches of his authority."³⁸⁵

Al-Samhūdī used the same phrase by quoting Ali: "Justice by the Sultān is better than a fertile season. He added: It is incumbent upon the ruler, to be wise in his realm, noble in himself, true to his word, and robust in his religion."³⁸⁶

Al-Samhūdī stresses this meaning addressing the ruler: "Be just as far as you can, because you are rewarded justice with justice, and oppression with oppression. The justice of the sultan is better than fertility of the season."³⁸⁷ This is clear example of the literal quotes from ibn 'Arab Shāh's book.

385 Ibn 'Arab Shāh, op. cit., p.58.

386 Cf p.33 of this thesis.

387 Cf p.36, 92 of this thesis.

5. *al-Jāmi' al-Saghīr fī Ḥadīth al-Bashīr al-Nadhīr* by Jalāl al-Siyūti³⁸⁸

Al-Siyūti compiled around 10,000 Ḥadīths selected from his book. *Jam' al-Jawāmi'*, alphabetically ordered according to the first words of the *Ḥadīth* in order to ease the task of searching. He restricted himself to short *Ḥadīths*, mentioning only a few *Ḥadīths* of *Aḥkām* (*Fiqh* rulings), and did not mention (in his opinion) falsified *Ḥadīths*. In reality, it contained good and weak *Ḥadīths* in all their types.

His methodology in presenting the *Ḥadīth*, was to present the Matn (the text) of the *Ḥadīth* without its *sanad* (chain of narration), but at the end he indicated the scholars of *Ḥadīth* who transmitted it, and naming the companion who narrated it according to *Ḥadīth* scholar he attributed it to. He used codes to describe the level of the *Ḥadīth*, in terms of authenticity, etc.³⁸⁹

The extent of Al-Samhūdī's dependence on al-Siyūti's book is clear. The majority of *Ḥadīths* used by Al-Samhūdī are from that book, which confirms its importance. However, it is also clear that Al-Samhūdī in writing the *Ḥadīths* depended on his memory. This is because a number of *Ḥadīths* as written by al-Samhūdī give the same meaning with some difference in words, as well as difference in order of words. An example of such differences is the *Ḥadīth*: "if Allāh wishes well for a people, He will empower the decent to rule over them". In referring to al-Siyūti's book, we find the word "the forbearing" rather than "the decent". An example of difference in order of words is the *Ḥadīth* "Haste is from Satan, and tranquility from Allāh". Referring to al-Siyūti's book, we find that the *Ḥadīth* is transcribed: "Tranquillity is from Allāh, and

388 Previously introduced

389 Al-Taḥān, Fī Usūl al-Takhrij wa Dirasat al-Asānīd, p.67.

haste from Satan". This is considered a shortcoming of Al-Samhūdī that he depended on his memory in relating *Ḥadīth*.

3.3. The Author's Methodology and Style of Writing

If we wish to familiarise ourselves with the author's methodology and style, then after reading and rereading the work, we derive the following conclusions:

First: authoring books falls into one of seven classes from which no scholar or author departs:

1. Something without precedent, and so he invents it.
2. Something is incomplete, and so he completes it.
3. Something is closed and obscure, so he explains it.
4. Something is long, and so he summarises it without loss of meaning.
5. Something erroneous, so he puts it right.
6. Something is disorganised, so he organises it.
7. Something is scattered, so he collates it.

Reviewing those works in the same area published prior to al-Samhūdī, we may say that al-Samhūdī's book belongs to the sixth and seventh categories, where his book represents something that hitherto was disorganised, and he organised it, and something that was scattered and he collated it. This was emphasised by al-Samhūdī at the beginning of his book where he said; "this is a delightful and priceless collection that I collated from scattered books".

al-Samhūdī wrote and organised it according to the phased, gradual approach that must be taken into account and pursued while addressing the Caliph, head of State, or ruler. He began with the intellect, the high status enjoyed by ruler, fulfilling the duty of being thankful for the favour and bounty of ruler. After that, he entered into a presentation of the obligations the ruler was beholden to discharge. In this way, it

seemed that al-Samhūdī wished to prepare the ground ahead of entering into the obligations of the ruler.

Second: al-Samhūdī's division of his book into chapters and sections:

Al-Samhūdī divided his book into four chapters, with the number of sections within each chapter varying in number and length. This is reflected in inconsistency, where we find, for example, a section no longer than half a page, while another would exceed 25 pages.

Similarly for chapters, where the fourth was no more than four pages, while others exceeded 84 pages in length; bearing in mind that the number of pages depended on the type of calligraphy and printing.

Third: the admonitory style of the author:

The author's style was distinguished by being admonitory while relating this to current reality. He would recount the incident or situation that he wished to change, and collected a number of admonitions and reminders that supported his perspective.

In his book, he depended on quotations from the Quran, prophetic Ḥadīths that varied in the degree of authenticity and strength—especially those relating to intellect. Al-Samhūdī also used stories and wisdoms from Persia and other lands. He also cited abundantly the incidents involving the Companions and Caliphs, especially those relating to the topic of justice.

Fourth: The detailed and precise description of the author's times:

Al-Samhūdī was distinguished by the precise and detailed description in his book of the times in which he lived. We find this especially when he talked about the situation of the market, people, the *Muḥtasib*, and *Ahl al-Dhimma*, to the extent that he mentions the state of bridges, canals, and animals that serviced these facilities.

He also mentioned animals' fodder, and the names of some food grains, like barley and others. This highlights and emphasises the detailed extent in which al-Samhūdī described the world around him. Here lies the distinction of his style of writing, which was far different from those who preceded him in this same area; they would list admonitions and reminders, without attempting to relate them to reality and events.

Fifth: the sources on which the author depended and his language:

Al-Samhūdī in most of his book, frequently cited *Ḥadīths*, accounts from the *Sīrah* (Prophetic biography), and stories without mentioning the narrator, source or chain of narrators (*Sanad*). This made the task quite difficult, where mention of the sources would ease the job of authenticating, cross-checking, and locating them in the first instance. Moreover, there is repetition in some cited *Ḥadīths* and meanings, where it could be said that there was no chapter or section that failed to mention the meanings of justice, and oppression. Perhaps this repetition was intentional on the part of al-Samhūdī in order to emphasise the meaning of justice. The author's language was faultless classical Arabic, sound in its construction and syntax.

Sixth: the author avoided mention of disputed issues of *Fiqh* (jurisprudence):

Al-Samhūdī in his book avoided mentioning those matters that were disputed among scholars and jurists in the topics he treated. This is apparent through his usage of words to express this, like: "it is obligatory", "it is a must", which is a good strategy in matters of politics, such that he avoids confusing the mind and confounding the ruler, especially since rulers and governors like matters to be presented with brevity, thus preserving time, and guarding against boredom.

3.4. The Scientific Value of the Book and Manuscript's Authorship

In reality, reflecting on al-Samhūdī's book, we see that it fills an important place in a vital part of the Islamic body of knowledge. Moreover, al-Samhūdī has actually filled

more than one area of that body of knowledge. This is explained in a number of aspects:

Al-Samhūdī was able to firmly establish one of the most important schools of ethical and social Tarbiyah (education, upbringing). This involves mixing dry academic concepts with religious *Sharī'ah* concepts, in a format that religious scholars have agreed the terms; *Raqā'iq* (reminders that soften the heart) and *Wa'z* (admonition), to describe. He did not make the book solely scientific, nor solely admonitory; rather he merged both in a wonderful mix, but with admonition having the upper hand.

The book is evidence of the state of the Islamic environment and society, in terms of freedom to criticise, clarifying mistakes, and working to remedy them, even if these mistakes were those made by the head of state or minister, without fear of oppression or repression.

The book revealed how scholars were knowledgeable of the circumstances of their time, the course of events, and policies in their lands. Moreover, that in Islam there is no hermitage, nor separation between religion and worldly life, rather religion and life together formed a harmonious synthesis on which the rhythm of worldly life ran to the good of human beings and all mankind. The distinguished scholar is one who possesses an encompassing knowledge of the *Sharī'ah* regarding *Ḥalāl* (the lawful) and *Ḥarām* (the prohibited), without missing the opportunity to know the state of the environment and land in which he lived. Wherever there are successes, the scholar will strive and exert effort to consolidate them, and wherever there are negatives he will strive and exert effort to remove them.

The book gives us an impression of the simple social life represented by people's livelihoods, their food and drink in one of the times during the Mamlūk era in Egypt and Shām (the area of present-day Lebanon, Syria, and Palestine).

The book gives us a reasonable idea of the course of events in the Islamic State at the time, and what he warned about at that time were those things that he wished to change in the head of state or ruler. Issues that were among the critical factors that led to the decline of that State, and led to its end. It allows us to benefit from that lesson on the level of States and individuals in our contemporary times, and looking into the future.

Al-Samhūdī enriched the body of knowledge in some issues of *Sharī'ah*, like: *Ahl al-Dhimmah*, the *Muhtasib*, and ministers.

In reality, the book has a clearly undeniable importance, which led us to seek to bring it out to the world, so that people—rulers and those they rule—benefit from it.

Manuscript's Authorship

Evidence that the manuscript was the work of the author is twofold: direct and indirect. Direct evidence can be found in Al-Baghdadi's book *'hadiyyat al-Arifin'* where he confirmed the author's authorship of the Manuscript. And so did Umar Rida Kahhalah in his book *Mu'jam al-Mu'allifin'*³⁹⁰

Indirect evidence can be deduced from the various historical descriptions of the author's era provided by various books of history. Such descriptions are in close agreement with the historical events pertaining to the author's era, detailed in the Manuscript, in particular details related to *Ahl Al-Dhimmah* and to the *Muhtasib* and detailed description of some aspects of people's life in Egypt where the author was born and live a good part of his life.

³⁹⁰ Al-Baghdadi, *Hadiyyat al-Arifin*, p.740, Umar R. Kahhala, *Mujam al-Mu'allifin*, p.463.

3.5. Distinctions of the book “*al-Lu’lu’ al-Manthūr...*” and its weaknesses:

First: Distinctions of the book “*al-Lu’lu’ al-Manthūr...*”:

The book “*al-Lu’lu’ al-Manthūr...*” has many blessed distinctions, however we shall present the most prominent:

The author merged the style of admonition and advice with presentation of scientific evidence.

It revealed the close nature of the relationship in the Islamic society between the ruler and his people, the prevailing atmosphere of liberty, acceptance of the opposite view represented by criticism of the ruler, to the point that books were written about this, even if using an indirect approach.

It revealed how religious scholars were well versed in the affairs of their time through observation, and that they keenly followed general events and the policies of the rulers, emphasising those acts that were acceptable in the *Sharī’ah*, while repudiating those that were contrary to the *Sharī’ah*, and never acquiescing to them.

It showed and clarified how the religion of Islam was not one that was isolated in the mosque, with no relationship to the affairs of governance or the ruled, rather as a religion that took care of both religious and worldly interests; regulating the relationship between The Creator and His creatures, and the relationship between His creatures amongst themselves.

The absorbing nature of the book, in that it does not induce boredom while reading it, due to the attractive style and variety in presentation followed by al-Samhūdi. This manifested in the religious Islamic rulings tightly intertwined with stories and morals of some incidents from reality. This leaves the reader unable to pigeonhole the book.

whether it was a book of stories and morals, or that of religious rulings, or a book of history and events.

No doubt, human endeavour however its level of precision and power, must always bear fault and weakness. This is evidence of its humanity given that Allah, Most Exalted, had ordained that human nature would be distinguished by the inclination to error, misunderstanding, and forgetfulness.

Second: Failings of the book “*al-Lu’lu’ al-Manthūr...*”:

During our work on al-Samhūdī's book, we noted some issues that we feel it is important to draw attention to, among these:

The author does not mention the sources of his stories and poetry presented in his work in addition to some Ḥadīths, which I could not find in the book of al-Siuyūti, which the author referred to as his source at the beginning of the book. This made finding these *Ḥadīths* fraught with difficulty.

He neglected to mention that some *Sharī’ah* (juristic) rulings were open to differing opinion and dispute among scholars, e.g. the issues relating to *Ahl al-Dhimmah*.

His presentation of the issue (religion is subservient to the intellect), is contrary to the opinion held by the majority of scholars. Furthermore, it is a complex issue that required detailed treatment, which he did not provide.

Inconsistency among chapters and sections of the book in terms of number of pages and presentation of topics.

His frequent citation of weak *Ḥadīths*, especially relating to the intellect and others.

The inclusion by the book's compiler of talismans and alleged protective invocations that were not authentically established as being part of the *Sunnah*. This is well-known to be forbidden, since these may contain what is not permissible by Islam.

Chapter Four

This chapter discusses the three components upon which the Science of kings and rulers Preach stands. These are (advice, rulers and scholars). The relationship between them will be exposed, the important characteristics among them and the prominent specifications of every element thereof. Also, this chapter includes a critical study for the important subjects raised by the writer in his manuscript.

4.1 Advice to Monarchs

4.1.1. Introduction:

Reviewing Al-Samhūdī's book, and its contents of: *Sharī'ah*-based advice, etiquettes and manners, and advice to the Sultan, organised into chapters and sections that present topics in a graded way, making it easy for the ruler to absorb and understand, it becomes clear that there are three main specific aspects to Al-Samhūdī's book. We shall shed light on these, by providing the wider Islamic viewpoint, in order to add value to the study of this work. These aspects are:

- *Naṣīḥah* (advice) and its nature;
- The ruler receiving advice and the nature of his position, as well as his rights and duties;
- The scholar who tenders this advice and his methodology in doing that.

These three aspects are the main axes attended to by all those scholars who preceded and followed Al-Samhūdī in authoring books admonishing monarchs, and hence the reason for this research.

4.1.2. Definition of *Naṣīḥah* (advice)

4.1.2.1. *Nasīḥah* in the Arabic language: is freedom from impurities; it is said something or someone is *Nāṣiḥ* or *Naṣūḥ*, if free of defect. Anything which becomes free of defect is termed as “*naṣuḥa*.” Someone “*naṣaḥa*” to someone else in speech, if he renders the speech faithfully, and is the opposite of falsehood.³⁹¹ It is said that a person is *Nāṣiḥ* at heart, i.e. his heart does not contain falsehood. Moreover, it is said *Nasaḥa al-thawba*, i.e. he mended the garment.³⁹² Likewise, *Tawbah Nasūḥ*, means truthful repentance;³⁹³ it is as though sin rips religion, and repentance mends it.³⁹⁴

4.1.2.2. *Nasīḥah* in the terminological sense: it is a word generally expressed by a phrase: intending good for the person addressed by the advice, and is the care from the heart for the individual being advised, whoever he is.

Nasīḥah is of two types: obligatory or voluntary. Obligatory *Nasīḥah* is the extreme care taken by the tenderer of advice in following the love of Allāh in discharging what He has made obligatory, and avoiding His prohibitions. As for the voluntary *Nasīḥah*, it is choosing the love of Allāh over his love for himself. Where he has a choice, either choosing something for himself, or for Allāh; he chooses what is for Allāh and postpones what is for himself.³⁹⁵

As for the meaning of tendering advice to rulers from the terminological perspective, it is to help them in what they have been given to do, reviving their flagging attention, filling the vacuum of their shortcomings, uniting the hearts of people around them,

³⁹¹ Ibn Manẓūr, *Lisān al-‘Arab*, Vol. 2, p.650.

³⁹² Al-Azharī, *Muʿjam Tahdhīb al-Lughah*, Vol. 4, p.3582.

³⁹³ Al-Jawharī, *al-Siḥāḥ*, Vol. 3, p.359.

³⁹⁴ Ibn Ḥajar, *Fath al-Bārī fī Sharḥ al-Bukhārī*, Vol. 1, p.197.

³⁹⁵ Ibn Rajab al-Ḥanbalī, *Jāmiʿ al-‘Ulūm wa al-Ḥikam*, p.105.

while the greatest of advice to them is to prevent them from injustice in the best way.³⁹⁶

4.1.3. Meanings of *Naṣīḥah* in Qur'ān:

a. Guidance: as in the Qur'ānic verses:

- *{The council are conspiring to kill you, so leave! I am someone who brings you good advice,}*³⁹⁷ and
- *{My counsel will not benefit you, for all my desire to counsel you.}*³⁹⁸ i.e. my guidance will not benefit you.

b. Fidelity: as in:

- *{... nor against those who find nothing to spend, provided they are true to Allah and His Messenger,}*³⁹⁹ the word “*Naṣaḥū*” meaning being true.

c. Love: as in the verse *{They said, our father! What is wrong with you that you refuse to trust us with Yūsuf, when in truth we love him (Nāṣiḥūn:)}*⁴⁰⁰ the word “*Nāṣiḥūn*” here means *to love*.

d. Preservation: as in the verse *{... shall I show you a household who will feed him for you and be good to him? (Nāṣiḥūn,)}*⁴⁰¹ i.e. preserve him.

e. Invitation to Allāh: as in the verse *{transmitting my Lord's Message to you, and giving you good counsel (Nāṣiḥun lakum), and I know from Allāh what you do not*

³⁹⁶ Ibn Ḥajjar, *Fath al-Bārī*, Vol. 1, p.198.

³⁹⁷ Al-Qaṣaṣ :20.

³⁹⁸ Hūd :34.

³⁹⁹ Al-Tawbah: 91.

⁴⁰⁰ Yūsuf 11.

⁴⁰¹ Al-Qaṣaṣ 12.

know,} ⁴⁰² i.e. I am for you a caller to Allāh. ⁴⁰³ This in relation to the meaning of *Naṣīḥah* in Qur'ān, as for the *Sunnah*, we shall discuss this during the explanation of Ḥadīths relating to *Naṣīḥah*.

4.1.4. Distinguishing between *Naṣīḥah* and otherwise:

4.1.4.1. Distinction between tendering *Naṣīḥah*, censuring, or shaming:

Censuring can be one of the means of tendering advice, but two things distinguish both; intention and outcome. The intention behind tendering advice is an act of good emanating from compassion and mercy, solely for the sake of Allāh and doing good towards His creation.

As for censure, the intention behind it is humiliation packaged as tendering advice, this is a difference in terms of intention. As for outcome, this differs also, whereby the person tendering advice does not antagonise nor acquire the enmity of the person advised, especially if he adheres to its etiquettes, while the outcome from censure is enmity because it was ill-intentioned. ⁴⁰⁴

Al-Fudayl ibn 'Iyād said: "the believer covers up and advises, while the transgressor discredits and shames." ⁴⁰⁵

As for the difference between tendering advice and shaming, the scholars have concerned themselves with distinguishing between *Naṣīḥah* and humiliation to the point that ibn Rajab al-Ḥanbalī wrote a famous book entitled "*al-Farq bayn al-Naṣīḥah wa al-Ta'yīr*" [the difference between *Naṣīḥah* and shaming]. In his book, he

⁴⁰² Al-A'raf 62.

⁴⁰³ Abd Allāh Abd al-Raḥmān, *Munāsaḥat al-Ḥukkām Fiqhuhā wa Ṭarā'iquhā* .pp.12-13.

⁴⁰⁴ Ibn al-Qayyim, *al-Rūḥ*, pp. 232-233.

⁴⁰⁵ Ibn Rajab al-Ḥanbalī, *Jāmi' al-Ulūm wa al-Ḥikam*, p.107.

stressed that mentioning a person with those things that he hates is prohibited, when the intention is merely to denigrate and humiliate. However, if there was public good for Muslims, and the intention was to ensure the public interest, then it is not prohibited, rather recommended.⁴⁰⁶

4.1.4.2. Distinction between *Nasīḥah* and *Ghībah* (backbiting):

Naturally, in tendering advice, i.e. performing *Nasīḥah*, sometimes it is essential to mention the defects, and that which is to be avoided. Allāh has prohibited (backbiting) in the *Āyah* { ... *and do not backbite one another.* }⁴⁰⁷ However, the difference between *Ghībah* and *Nasīḥah* lies in the intention. In backbiting, the intention is to malign, humiliate, and denigrate—nothing else, while in tendering *Nasīḥah* the intention is to warn and guide.⁴⁰⁸

The important difference between them is that *Nasīḥah* is addressed to the person directly, while backbiting is not done in his presence, but that of his detractors—in addition to the difference in intention.

The scholars have been unanimous in the prohibition of backbiting, based on the Ḥadīth, which clarified the meaning of *Ghībah*. The Messenger, peace be upon him said:

"Do you know what *Ghībah* is? They said: Allāh and His Messenger know best. He said: mention of your brother with what he hates. They said: what if what we say is true of him? He said: if what you say is true of him, then you

⁴⁰⁶ Ibn al-Qayyim, *al-Rūḥ*, p.216.

⁴⁰⁷ *Al-Ḥujurāt* 12.

⁴⁰⁸ Ibn Rajab al-Ḥanbalī, *al-Farq bayn al-Nasīḥah wa al-Ta'yīr*, p.2.

have practised *Ghībah*, and if not then you have slandered him."⁴⁰⁹

Al-Nawawī said: "*Ghībah* is mentioning someone with those things that he hates, whether in describing his person, religion, life, physique, manners, wealth, children, wife, servant, garments, movement, body language, or other things relating to him, whether in word, sign, or signal."⁴¹⁰ Al-Nawawī mentioned the types of *Ghībah* not exhaustively, rather by example, and lingered long in mentioning its types due to the wickedness of backbiting in all its forms.

Ghībah is one of the most deadly social diseases, which may bring discord and destruction to society due to the spread of hatred and envy among members of the community; dispute and conflict will become rife among people. There are those who present *Ghībah* as other than what it really is, in order to provide justification for this evildoing. Ibn Taymiyah states:

"among them are those who package *Ghībah* in different ways; sometimes in the guise of religion and righteousness, saying: it is not my habit to mention anyone except with good, and I do not like *Ghībah* or lying, but I will tell you about that person. He starts by saying, by Allāh, the poor thing, and begins his *Ghībah*. Others perform it disguised as anger, and rejecting evil, whilst his intention is the opposite of appearances."⁴¹¹

We may say that the scholars have allowed *Ghībah* in specific cases:

409 Narrated by Muslim, book of meritorious acts, relations, and etiquettes, chapter of prohibition of backbiting, No 4690.

410 Al-Nawawī, al-Adhkār, p.288

411 Ibn Taymiyah, Majmū'al-Fatāwā, Vol. 28, pp.237-238.

- a. **Complaint and seeking redress:** it is permissible for the person unjustly treated to raise his complaint to the Sultan, Judge, or other competent person capable of rendering justice. He may say such person has treated me unjustly, or did such a deed.
- b. **Seeking help in changing evil:** restoring the sinner to the correct path, and informing the person best equipped to do that: so and so is doing such a deed, so forbid him, etc.
- c. **Requesting Fatwa:** by informing the Mufti that so-and-so has treated me unjustly in such and such a way. This is allowed due to the need, based on the Ḥadīth of Hind Um Mu‘āwiyah when she said to the Messenger of Allāh: Abū Sufyān is a miserly man, is it sinful for me to take from his money secretly, he said: "Take yourself and your children what is sufficient for you with parity."⁴¹²
- d. **Warning Muslims of evil:** on a number of fronts, among them al-Jarḥ wa al-Ta’dīl [the science of verifying the integrity of Ḥadīth narrators] applied to narrators, witnesses, and authors. This is allowed in the unanimous opinion of scholars, more so it is a duty to protect the Shari’ah. For example, if you witness someone buying damaged goods, a thief, fornicator, someone drinking of alcohol, etc, then you remind them of that wrongdoing in order to render advice. In addition, if you see a student of knowledge taking knowledge from a transgressor, or innovator, and feared harm then you must render advice, and explain the problem with those persons.
- e. Among the cases where *Ghībah* is permissible, is when the individual concerned is a *fāsiq* and sins publicly, then his public sins may be mentioned, but no more.

⁴¹² Al-Bukhārī, Book of Selling, Chapter of one who administers lands according to their custom, No. (2059).

f. Identification: for the purposes of identifying a particular person through a specific description, for example, if the person is short, blind, or limps, then it is permissible to say the short, blind, or limping individual. However, it is prohibited to say this in order to denigrate, and if there are other ways of identification then they should be employed.⁴¹³

These six points have been collected in verses of poetry:

Mention of shortcoming is not Ghībah in six seeker of redress, identifying,
and warning public sinner, requestor of Fatwā, and supplicant of help to
remove evil⁴¹⁴

4.1.4.3. Distinction between *Nasīhah*, and commanding good and prohibiting evil:

Nasīhah and *'amr bi al-ma'rūf wa nahy 'an al-munkar* (commanding good and prohibiting evil) are two means of instituting right and banishing evil. They are two tools of *Da'wah* that are related both generally and specifically. *Nasīhah* is more general than *Amr bil Ma'rūf wa Nahy 'an al-Munkar*, since this enters under the heading of *Nasīhah*. Hence, *Nasīhah* is all-inclusive, whereby every *'amr bi al-ma'rūf wa nahy 'an al-munkar* is *Nasīhah*, but not all *Nasīhah* is *'amr bi al-ma'rūf wa nahy 'an al-munkar*. This is because commanding good is only incumbent upon the Muslim in those obligatory matters, and forbidding evil is incumbent in matters where the Muslim must desist from what is *ḥarām*. *'amr bi al-ma'rūf wa nahy 'an al-munkar* applies only to religiously instituted obligations in actions or abstentions, i.e. acts that

413 Al-Nawawī, *Sharḥ Saḥīḥ Muslim*, Chapter: Prohibition of Ghībah, Vol. 16, p.192.

414 Al-Safarini, *Ghīdhā' al-Albāb fī Sharḥ Manzūmat al-'Adab*, (1/85).

must be performed or ones that must be avoided⁴¹⁵. Moreover, *'amr bi al-ma'rūf wa nahy 'an al-munkar* is exclusive to those matters that the scholars have agreed are obligatory or prohibited. As for disputed matters, then there is no command or prohibition, i.e. what the scholars have disagreed upon in terms of command or prohibition does not enter into the sphere of *'amr bi al-ma'rūf wa nahy 'an al-munkar*.⁴¹⁶ However, it is a required condition that the disagreement be credible, and not far-fetched. Moreover, the person disagreeing must not be in agreement on the *Sharī'ah* ruling with the other party, such that if that is the case, then it is permissible to admonish them on the premise that they share the same opinion.⁴¹⁷ As for *Nasīḥah*, it enters into *'amr bi al-ma'rūf wa nahy 'an al-munkar* in relation to the duty, and the prohibition, in the same way what is recommended, allowed, and disliked, which do not enter into the arena of *'amr bi al-ma'rūf wa nahy 'an al-munkar*. In this way, *Nasīḥah* is the more comprehensive and wider, because it is permissible in all five categories of ruling; where the issue relates to obligation, recommendation, permission, disliked, and prohibition.

4.1.5. The importance of *Nasīḥah*:

Nasīḥah is the main cause for reinforcing the ties of affection between people, and that they continue on the Right Path of Islam. It is one of the necessities of social contact between people, and any nation that does not render mutual advice, or any society that does not do so, falls prey to social diseases. This is because the human

415 Al-Dirdīr, al-Sharḥ al-Saghīr 'ala Aqrab al-Masālik, Vol. 2, p.273

416 Al-Māwardī, al-Aḥkām al-Sultaniyyah, p.315.

417 'Abd Allāh al-Zubayr, Munāsaḥat al-Hukkām Fiqhuhā wa Tarā'iquhā , p.22.

being is a social being by nature, susceptible to error, and forgetfulness, and so needs someone to remind, guide, and advise.

Previously, we mentioned the importance of *Nasīḥah* in Qur'ān, and its specific *Sharī'ah* usage in the Qur'ānic context. As for the *Sunnah*, the meaning of *Nasīḥah* is mentioned in a great *Ḥadīth*, which it has been said represents one quarter of the religion, and that it is one of those *Ḥadīths* around which *Fiqh* revolves.⁴¹⁸ This is the *Ḥadīth* of the Messenger, peace be upon him: "The religion is *Nasīḥah*" repeating it three times. We said to whom Messenger of Allāh? He said: Allāh, His Book, His Messenger, the rulers of Muslims, and the common people."⁴¹⁹ This is a great *Ḥadīth*, which makes all the religion, centre on advice. This *Ḥadīth* explained the types of *Nasīḥah*, which shall be discussed later.

There are other *Ḥadīths*, for example that are cited in the *Ṣaḥīḥs [Collections of authentic Ḥadīths]* of al-Bukhārī and Muslim, where Jarīr ibn Abd Allāh said: "I made a pledge to the Prophet, peace be upon him, to establish Ṣalāh, pay Zakāh, and render *Nasīḥah* to every Muslim."⁴²⁰ The Messenger, peace be upon him, said: "the rights of the Muslim over the Muslim are six, among them if he seeks your advice then render it to him."⁴²¹

These two *Ḥadīths* are specific to tendering advice to Muslims generally, while there are other *Ḥadīths* that are specific to directing advice to those in authority and rulers. The Messenger, peace be upon him, said:

418 Ibn Rajab al-Ḥanbalī, *Jāmi' al-'Ulūm wa al-Ḥikam*, p.102.

419 Muslim, Book of Īman, Chapter: Religion is Nasīḥah, No. 82.

420 Al-Bukhārī, *Kitāb al-Īman*, Bāb al-Dīn al-Nasīḥah , No. 55.

421 Muslim, Book of Īman, *Kitāb al-Salam*, Bāb Min Haqq al-Muslim , No. 4023.

"Allāh accepts three for you: He accepts that you worship Him, and associate no partners with Him, that you all hold onto the rope of Allāh and not be disunited, and that you render *Nasīḥah* to those whom Allāh has given authority in your affairs."⁴²²

He, peace be upon him, also said: "Three things that the heart of the Muslim cannot withhold: pure intention in working for the sake of Allāh, tendering advice to the leaders of Muslims, and adhering to the *Jama'at* [community] of Muslims."⁴²³

He, peace be upon him, said: "No slave of Allāh given subjects to attend to by Allāh, and did not encompass them with *Nasīḥah*, then he shall not find the fragrance of paradise."⁴²⁴

The foregoing were prophetic *Ḥadīths* that explained the importance and merit of *Nasīḥah*.

4.1.6. Types of *Nasīḥah*

As for the types of *Nasīḥah*, the first *Ḥadīth* dealt with its types, listing them in a graded manner. I shall present the definition of each type briefly, with the exception of *Nasīḥah* to rulers since it is the topic of this research.

- a. *Nasīḥah* for Allāh: it is believing in His Oneness, and describing him with the fitting attributes of Perfection and Majesty, rejecting in His description all those attributes that are the opposite, avoiding disobedience of Him, abiding by His obedience, love for His sake, hate for His sake, practising repentance and seeking

422 Mentioned by: Ibn Rajab al-Ḥanbalī, *Jāmi' al-'Ulūm wa al-Ḥikam*, p.103.

423 Narrated by: ibn Mājah, *Kitāb al-Muqaddimah*, Bāb man Balaagh 'ilman , No. 226. with authentic chain of narration, as in *al-Silsila al-Ṣaḥīḥah* (403).

424 Al-Bukhārī, *Kitāb al-Aḥkām*, Bāb man ustir'iya Ra'yyatan , No. 6617.

forgiveness.

- b. *Naṣīḥah* for His Book: i.e. believing that it is the words of Allāh, elevated far above all other books. Practising what it contains of rulings, reflecting upon its meanings and advice, taking heed of its warning, and fulfilling the obligations of learning and memorising its text.
- c. *Naṣīḥah* for His Messenger: peace and blessing of Allāh upon him, is by respecting him, observing proper behaviour towards him, striving to obey him, adhering to his *Sunnah*, adopting his manners and etiquettes, and love for his family and Companions.
- d. *Naṣīḥah* for the common Muslims: by guiding them to what is in their interest, teaching them the affairs of their religion and life, covering their shortcomings, defending them and their reputations, and to love for them what he loves for himself.⁴²⁵

4.1.7. The importance of tendering advice to rulers:

By nature, rule is testing, where the person may succumb the base behaviour of haughtiness, and considering himself above others. Reading the history of rulers, sultans and monarchs, one learns that rule has an allure that causes a person to forget the objectives of ruling, except those fortunate ones saved by the mercy of Allāh. In ruling, the ruler may see himself as commanding what he wishes, prohibiting what he wishes, and is conscious of his high rank and status. His command is executed without question, and his rulings implemented without fail, the ruler will find that people compete to come close to him in all manner of ways; they compliment him, describe him with things that are not true, only to please him; in cases, this leads to

⁴²⁵ Ibn Rajab al-Ḥanbalī, *Jāmi' al-'Ulūm wa al-Hikam*, p.106.

the development of a tyrannical and oppressive attitude. Especially, when he feels that he does not need the people, while the people need him. Allāh says {*No indeed! Truly man is unbridled, seeing himself as self-sufficient.*}⁴²⁶ This may also lead to haughtiness and dictatorial attitude, as mentioned in the Qur'ānic verse {*Ad were arrogant in the land, without any right, saying, "Who has greater strength than us?" Did they not see that Allah, who created them, had greater strength than them? But they renounced Our Signs.*}⁴²⁷

Therefore, Islam came to protect government and the ruler from this trial, and commanded the subjects to direct *Nasīḥah* to the ruler in order to protect him from the testing nature of rule. The Messenger, peace be upon him, said:

"Allāh accepts three for you: He accepts that you worship Him, and associate no partners with Him, that you all hold onto the rope of Allāh and not be disunited, and that you render *Nasīḥah* to those whom Allāh has given authority in your affairs."⁴²⁸

The Messenger, peace be upon him, warned Muslims from not rendering advice to their rulers, especially when they go astray. He said to ibn 'Umar: "If you see my nation in fear of the oppressor, and not saying to him you are an oppressor, then they

426 Al-'Alaq: 6-7.

427 Fuṣṣilat: 15.

428 Mentioned by: Ibn Rajab al-Ḥanbalī, *Jāmi' al-'Ulūm wa al-Ḥikam*, p.103.

are a lost cause."⁴²⁹

The Prophet, peace be upon him, explained that tendering advice to the unjust and oppressive ruler is the highest form of *Jihād*. He said: "The best *Jihād*: a just word in the presence of an unjust Sultan or Emir."⁴³⁰

Al-Māwardī⁴³¹ says: Kings are the most worthy people to be regaled with advice, because in their good there is good for their subjects, and in their corruption, corruption of their subjects.⁴³²

Sharī'ah scholars paid great attention to advice rendered to kings and sultans for a number of reasons:

- a. Rulers are the busiest people, and carry the greatest burden of responsibility, while being most remote in handling affairs personally, as well as observing their subjects with their own eyes, and always seek out persons to carry these responsibilities on their behalf.
- b. Rulers are usually the most remote from sitting with scholars, attending meetings of admonition and encouraging ascetism, and mixing with Jurists, who sharpen intellect and open the eyes.
- c. They are the furthest people in benefiting from reminder, or following admonition,

429 Narrated by: Aḥmad ibn Ḥanbal, Kitāb Musnad al-Mukthirīn min al-Saḥābah, No. 6234; with weak chain of narration according to al-Albanī in: Silsilat al-Aḥadīth al-Da'īfah wa al Mawdū'ah, Vol. 2, No. 45.

430 Narrated by: Abū Dāwūd, Kitāb al-Maḥāḥim, Bāb al-'Amr wal Nahy, No. 3781; with authentic chain of narration according to al-Albanī in: Silsilat al-Aḥadīth al-Ṣaḥīḥah, No. 491.

431 Abū al-Ḥasan Ali ibn Muḥammad ibn Ḥabīb, famously known as al-Māwardī al-Baṣrī, the Shāfi'i jurist, died 450AH. See: Wafiyāt al-A'yān, Vol. 2, p.444.

432 Al-Māwardī, Nasīḥat al-Mulūk , p.17.

which leads to harshness of the heart.

d. Rulers are surrounded by ministers, aides, courtiers, and friends who tell them only what they wish to hear, in harmony with their opinions and ideas, in order to curry more favour with them.⁴³³

e. Rulers are among those who are most fearful of enemies and competitors, which drives them to employ people as filters coming between them and the common people. This results in complainants not being able to petition them directly. The Messenger, peace be upon him, said: "Whoever is given authority in a matter concerning Muslims by Allāh, and he placed courtiers between him and their needs, company, and poverty, then Allāh Most High the Exalted will not attend his need, company, and poverty."⁴³⁴

4.1.8. Ruling on *Naṣīḥah*:

Naṣīḥah takes its *Sharī'ah* ruling according to circumstances:

a. First case: *Naṣīḥah* is requested from qualified and competent people. This request is termed (*Istinṣāḥ*) and the petitioner called (*Mustanṣiḥ*).

b. Second case: *Naṣīḥah* is tendered after request, and the person tendering it is called (*Mustanṣah*), i.e. the person being asked to provide advice.

c. Third case: *Naṣīḥah* is tendered without request for it, on the initiative of the person called (*Nāṣiḥ*).

Hence, the three circumstances are:

- *Mustanṣiḥ*, i.e. requestor of *Naṣīḥah*.

⁴³³ Ibid, p.19-20.

⁴³⁴ Narrated by: Abū Dāwūd, Kitāb al-Kharāj, Bāb fī mā Yalzam al-Imām, No. 2559; with authentic chain of narration according to al-Albanī in: Silsilat al-Aḥādīth al-Ṣaḥīḥah, No. 629.

- *Mustanṣaḥ*, i.e. the person asked to provide *Nasīḥah*.
- *Nāṣiḥ*, i.e. one who tenders *Nasīḥah* of his own volition without request.

As for the *Nāṣiḥ*, who tenders advice on his own initiative ---the third case--- then *Nasīḥah* on his part is *fard Kifāyah*, i.e. if it is done by someone endowed with the faculty of bringing about change for the better, wisdom and maturity then the duty is no longer burden on others, otherwise it remains an outstanding responsibility upon all.

Therefore, it is obligatory on the *Ummah* generally to provide persons willing to tender advice, especially to rulers. If they do not, then they are all sinning, and are not clear, until this is the case. The Messenger, peace be upon him said that the very foundation of religion is *Nasīḥah*, establishing the religion is an obligatory duty, and anything required in the discharge and fulfilment of such duty, in itself becomes obligatory.

This is confirmed by the statement of Jābir ibn ‘Abd Allāh: "I gave a pledge to the Messenger of Allah, peace be upon him, to establish Ṣalāh, pay Zakāh, and tender advice to every Muslim."⁴³⁵

Hence, *Nasīḥah* is *fard Kifāyah*, if fulfilled by some then it is no longer an obligation on the rest.⁴³⁶ Those who shouldered the burden were under no obligation to, except if three conditions are fulfilled:

1. If the person tendering advice knew that it would only be accepted from him personally.
2. If he was secure in that no harm would come his way.

⁴³⁵ Al-Bukhārī, Kitāb al-Īman, Bāb al-Dīn al-Nasīḥah, No. 55.

⁴³⁶ Al-Nawawī, Sharḥ Saḥīḥ Muslim, Vol.2, p.39.

3. If he was certain that his *Nasīḥah* would not provoke a greater evil than if he were silent.

Therefore, if the *Nāṣiḥ* was certain that his advice would not be accepted, feared for himself, or saw that his advice would provoke a greater evil than what he was advising against, then he is not obliged to tender it. al-Ghazālī among other things says: "if you are certain that advice will have no effect, and his personality is such that he will not desist, then silence is better."⁴³⁷

Ibn Batal is cited⁴³⁸ as saying: "*Nasīḥah* is obligatory within what is humanly possible, provided the *Nāṣiḥ* knows that his advice will be accepted, and his command obeyed, and he is safe from harm. However, if he fears repercussions on himself, then he is under no obligation, and Allāh knows best."

As for the second case, where the person is requested to give advice, then it is an obligation upon them to do so, especially if he is endowed with good knowledge and faculty of expression. Allāh says: {*... who could do greater wrong than someone who hides the proofs he has been given by Allah?*}⁴³⁹, and the statement of the Messenger, peace be upon him: "Whoever is asked of his knowledge, and withheld it then he will have a gag of fire covering his mouth on the Day of Judgement."⁴⁴⁰

The Messenger, peace be upon him stated: "The rights of the Muslim upon the Muslim are six, among them if he seeks your advice then render it."⁴⁴¹

437 Al-Ghazālī, *Ihyā' 'Ulūm al-Dīn*, Volume 2, p. 183.

438 Al-Nawawī, *Sharḥ Saḥīḥ Muslim*, Vol.2, p.39.

439 Al-Baqarah 140.

440 Narrated by: Abū Dāwūd, *Kitāb al-'Ilm*, Bāb *Karāḥiyat man'al-'Ilm*, No. 3173; with authentic chain of narration according to al-Albanī on: *Mishkāt al-Maṣābih*, p.223, 224.

441 Muslim, *Kitāb min Haqq al-Muslim 'ala al-Muslim radd al-Safam*, No. 2162.

If the ruling on *Nasīḥah* is that it is one of the rights of common people, then it is more pressing in the case where the ruler requests it. Whoever withholds his advice from the Sultan, his illness from doctors, and his worries from his friends, then he has betrayed.⁴⁴²

As for the first case, *al-Mustanṣiḥ*, i.e. one seeking advice, the ruling on it varies according to the state of the person. If he is one of the common people then seeking advice is recommended, because it is best for him to seek advice and counsel, where this would lead to an improvement in his situation. The Messenger, peace be upon him said: "No one is happy with his opinion, nor let down by consultation."⁴⁴³

However, if the person requesting advice is in authority, then in this case it is a religious obligation, since Allah says {... *consult with them about the matter...*}⁴⁴⁴.

Nasīḥah is a request for guidance and advice, and the ruler is different from the common people in requesting advice. The common people find improvement on the personal level due to the *Nasīḥah*, while improvement in the ruler has far reaching consequences in greater good for the public, and improvement in their state and his as well.

Sa'īd Ḥawwā says: if the Emir does not make the righteous people feel at ease, and that there advice is valuable in serving the *Sharī'ah*, and maintaining order, then he will only find hypocrisy and sycophants, which is wide corruption. In addition, the silence of the Emir in requesting advice is an invitation to corruption of both the elite

⁴⁴² Al-Māwardī, *Nasīḥat al-Mulūk* , p.44.

⁴⁴³ Al-Māwardī, *al-Jāmi' al-Saghīr* , Vol. 2, p.21.

⁴⁴⁴ Al-'Imrān 159.

and the public.⁴⁴⁵

‘Umar ibn al-Khaṭṭāb said: "O’ people, our right over you is to give us advice, and help us in doing good."⁴⁴⁶

‘Alī Abū Ṭālib said: "You must give mutual advice and co-operate on that. No one, however high his ranking in religion, and leadership in serving the truth, is above being helped in carrying the burden of truth placed upon him by Allāh."⁴⁴⁷

In this way, the rightly guided *Khalīfahs* illustrated the meaning of *Naṣīḥah*, and its obligation on the ruler. It is clear from the presentation of these three cases; *Nāṣiḥ*, *Mustanṣaḥ*, and *Mustanṣiḥ*, that *Naṣīḥah* is vitally important, and is either: obligatory for rulers, recommended, or a public religious obligation upon everyone.

Since requesting advice is an obligation upon rulers, they must have a genuine concern for this issue, manifested in: appointment of advisers who undertake the discharge of *Naṣīḥah*. It is an intrinsic duty of rulers and among the priorities, to appoint those with whom they share responsibility of making decisions. This was emphasised by al-Māwardī in his book, “*al-Aḥkām al-Sultāniyyah*”; the ruler must appoint advisors.⁴⁴⁸

‘Umar ibn ‘Abd al-‘Azīz did so, by appointing advisers and consultants throughout the Muslim lands. In a letter to one of them he said: do not undertake any matter concerning the Muslims except properly by rendering good advice to them.⁴⁴⁹ Those requested to give advice must possess certain qualities, among which are wisdom, and

445 Sa‘īd Hawwā, *Fuṣūl fī al-Imrah wa al-Amīr*, p.68.

446 Abū Yūsuf, *al-Kharāj*, p.13.

447 Ibid., p.15.

448 Al-Māwardī, *al-Aḥkām al-Sultāniyyah*, p.18.

449 Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, Vol.9, p.118.

intelligence, such that they are able to best judge when to proceed, and when not to, especially in those situations where advice may be for or against you. Among those qualities also, perfect intellect, and long experience. Variety and long experience moulds the mind. Luqman the Wise said to his son: "seek the advice of the experienced, because he gives you of his opinion what has cost him much, while you take it for free."⁴⁵⁰

The one who seeks the help of those endowed with intellect succeeds in achieving his hoped-for objective. This is endorsed by the *Ḥadīth*: "Seek guidance from the Wise and you will be guided, and disobey not, otherwise you will rue the day."⁴⁵¹ Therefore, the person seeking advice must look for the wise and experienced person whose personality has been forged by life's experiences. The author of "*Badā'i' al-Silk fī Ṭabā'i' al-Mulk*" warns of seeking advice of two types of individual: a self-conceited youth with little experience, or an old man where time has taken its toll on his mind as much as it has on his body.⁴⁵² Among the matters that the Muslim ruler must be concerned about in seeking advice, is that it should be from one endowed with religion, piety, and fear of Allah.

‘Umar said: "In your affairs, seek the counsel of one who fears Allāh."⁴⁵³

4.2. Rulers

4.2.1. The *Sharī'ah* ruling on appointing the ruler

Khilāfah, *Imāmah*, and *Imārah* are Arabic terms expressing the same meaning, which

⁴⁵⁰ Al-Māwardī, *Adab al-Dunyā wa al-Dīn*, pp.291-292.

⁴⁵¹ Al-Siuyūṭī, *al-Jāmi' al-Saghīr*, p.36; Judged weak.

⁴⁵² ‘abd Allāh ibn al-Azraq, *Badā'i' al-Silk fī Ṭabā'i' al-Mulk*, 1/309.

⁴⁵³ Ibid.

is: leading and presiding over the Islamic government that combines the interests both of religion and worldly affairs,⁴⁵⁴ as defined by Shaykh Muḥammad Rashīd Riḍā.

It was defined by Ibn Khuldūn in the statement: "... carrying everyone in the observance of *Sharī'ah* rules in matters of this life and the Hereafter."⁴⁵⁵

It was defined by al-Māwardī in the statement: The *Imāmah* is established as successor of the Prophet hood to guard the religion and rule over worldly affairs.⁴⁵⁶

The majority of scholars, as well as the unanimity of the Companions, and the generation that followed them hold that the appointment of the *Khalīfah* is a religious obligation.⁴⁵⁷ The appointment of the *Imām* is a duty, which has been defined in the *Sharī'ah*, as evidenced by the unanimity of the Companions and the *Tābi'ūn* (the generation that followed the Companions). Moreover, the Companions of the Messenger, peace be upon him, when he passed away were quick to pledge their allegiance to Abū Bakr, and submit their affairs to his administration. This continued in every generation after that, whereby people were never left to their own devices, rudderless, at any time. Hence, this has been established as a matter of unanimity proving the religious obligation of appointing the *Imām*.⁴⁵⁸

Furthermore,

454 Shaykh Muḥammad Rashīd Riḍā, *Al-Khilafāh*, p.17.

455 Ibn Khuldūn, *al-Muqaddimah*, p.131.

456 Al-Māwardī, *al-Aḥkām al-Sultāniyyah*, p.5.

457 Ibn Ḥazm al-Ẓahirī, *al-Fasl fī al-Milal wa al-Niḥal*, 1/451.

458 Ibn Khuldūn, *al-Muqaddimah*, p.131.

"authority over people's affairs is one of the highest duties of the religion.

Rather, religion cannot be established without it. The interests of human beings cannot be secured except by unity, due to their mutual need for one another, and such community requires a head to lead it."⁴⁵⁹

Aḥmad ibn Ḥanbali, says: "People must have a ruler; should their rights be lost?"⁴⁶⁰

4.2.2. The importance and vital nature of the '*Imāmah* in Islam

The '*Imām* in the *Ummah* is in reality the successor of the Messenger, peace be upon him, in establishing the religion. Therefore, those who succeeded the Messenger, peace be upon him, were called *Khulafā'* [sing. *Khalīfah*] i.e. successors—in establishing the religion on earth, and so obedience to them is obligatory.

The Messenger, peace be upon him said: "He who obeys me has obeyed Allāh, and he who disobeys me has disobeyed Allāh. He who obeys my Emir, has obeyed me, and he who has disobeyed my Emir has disobeyed me."⁴⁶¹

The Messenger, peace be upon him made it an obligation to choose a leader while travelling even for a short distance. In so doing, he underscored the importance that every people must have a leader or elder. He said: "if there are three of you travelling, then choose one of you to lead; he is an Emir given authority by the Messenger of Allah, peace be upon him."⁴⁶²

⁴⁵⁹ Ibn Taymiyyah, al-Siyasah al-Shar'iyyah, p.81.

⁴⁶⁰ Ibn Qudāmah, al-Mughnī, 9/34.

⁴⁶¹ Cited by: al-Bukhārī, Kitāb al-Aḥkām, 9/77; Muslim, Kitāb al-Jihād, Bāb yuqātilu min warāi' al-*Imām* wa yuqātilu bih, 4/60.

⁴⁶² Narrated by: al-Bazzār, as in Majma' al-Zawā'id, Kitāb al-Jihād, Bāb al-Amīr fī al-Safar, 5/255.

He said: its narrators are trustworthy.

He said: "if there are three of you travelling, then choose one of you to lead."⁴⁶³

He said: "it is not permissible for three persons to travel through uninhabited territory, without choosing one of them to lead."⁴⁶⁴

'Imārah or leadership is a merit given by Allāh to whoever has been chosen to carry it. The Prophet, peace be upon him, said:

"a section of my *'Ummah* continue to struggle for the truth, victorious until the day of judgement... He said: *Īsā ibn Maryam* will descend, and their leader will say: come, lead us in prayer. He will answer: no, you are one to other leaders, as a favour from Allāh to this *'Ummah*."⁴⁶⁵

Due to its vital and crucial importance, the Messenger, peace be upon him, informed that whoever dies without having made a pledge of allegiance to the *'Imām*, dies in a state of *Jāhiliyyah* [ignorance]: "He who dies without an *Imām*, has died a death in ignorance."⁴⁶⁶

Despite the importance of the position of *'Imām* and his noble standing, on the Day of Judgement he shall be called to long and detailed account. Abū Hurayrah said that: the Messenger, peace be upon him said: "the leader of 10 shall be brought on the day

463 Narrated by al-Ṭabarānī, as in *Majma' al-Zawā'id*, 5/256. He said: its narrators are trustworthy.

464 Narrated by: Aḥmad in his *Musnad*, 2/177. Its chain of narration is Ḥasan as stated by al-Haythamī in *Majma' al-Zawā'id*, 5/232.

465 Muslim, *Kitāb al-Īman*, Bāb Nuzul 'Isa ibn Maryam, 1/272.

466 Narrated by Aḥmad, *Musnad*, 4/96. The chain of narrators contains al-'Abbās ibn al-Ḥasan al-Qanṭarī, who al-Haythamī in *Majma' al-Zawā'id* (5/225) stated was unknown. all others are trustworthy.

of judgement with his hands tied to his neck: truth shall be his salvation, or perdition."⁴⁶⁷

4.2.3. Conditions to be fulfilled in the ruler

4.2.3.1. Islam:

This must be in order for him to safeguard the interests of Islam and Muslims, hence the authority of the disbeliever over the Muslim is disallowed: Allah says: {*Allah will not grant the disbelievers the upper hand over the believers in any way.*}⁴⁶⁸

This is a position where scholars are unanimous that the Imāmah cannot be granted to a non-Muslim, and that if he [the Muslim Imām] discards Islam afterwards, then he is removed: wherein, if he were to cease to pray, or command prayer, and if disbelief developed in him by way of introducing changes to the *Sharī'ah*, or practising an innovation in religion, then he is considered unfit to rule, and obedience to him ceases; Muslims are now obliged to revolt against him, remove him, and replace him with a just ruler, insofar as they are able to. If this duty came down to a group, then they are obliged to remove the non-Muslim ruler, but not necessarily the innovator, unless they think they are capable of overcoming him. However, if certain that they are not capable, then they are no longer obliged to do so.⁴⁶⁹

4.2.3.2. Responsibility

This refers to sanity and being of age (above puberty). Therefore, the scholars are unanimous that a child or insane person cannot be appointed as '*Imām*'. This is

⁴⁶⁷ Narrated by Aḥmad, Musnad, 2/134. al-Haythami in Majma' al-Zawā'id (5/205) stated that the narrators were trustworthy

⁴⁶⁸ Al-Nisā' :141.

⁴⁶⁹ Al-Nawawī, Sharḥ Saḥīḥ Muslim, 4/506.

because a child or insane person is under the guardianship of others, and are not independent—so how can be the given responsibility for the whole Ummah.⁴⁷⁰

In the *Hadīth* narrated by 'Aḥmad⁴⁷¹, on the authority of 'Abbās al-Ghifārī, who said: "they heard the Messenger of Allāh, peace be upon him, fearing for his *Ummah* six attributes:

Having children in position of leadership, the use of policemen in excessive numbers, bribery in courts, breaking family ties, no value attached to the sanctity of blood [human life], approaching Qur'ān as one would approach music, whereby a person is invited to lead prayer by people even though he is not the most knowledgeable nor best among them, in order to sing it to them."

Aḥmad also narrated, on the authority of Abū Hurayrah, who said: I heard the Messenger of Allah peace be upon him say: "Seek refuge in Allāh from the beginning of the seventies [year 70 AH] and the appointment of child rulers."⁴⁷²

Ali, said: the Messenger of Allāh peace be upon him said: "The pen has been lifted (no responsibility apportioned) on the person sleeping until he wakes up, the child until it grows up, the insane until he regains sanity."⁴⁷³

The *Imāmah* is one of the highest posts of responsibility in Islam, and it is inconceivable that a child, or a insane person, both of whom are under no obligation

470 Al-Ramlī, *Mughnī al-Muhtāj*, 4/130.

471 Narrated by: Aḥmad in his *Musnad*, 3/494. Its narrators are men of *Saḥīḥ* as stated by al-Haythamī in *Majma' al-Zawā'id*, 5/245.

472 Narrated by: Aḥmad in his *Musnad*, 2/ 326. Its chain of narration contains Abū Ṣālih al-Khawzī—: Abū Zar'ah said: he is alright

473 Narrated by: Aḥmad in his *Musnad*, 2/ 335. Sheikh Aḥmad Shākir said: Its chain of narration is *Saḥīḥ*.

to perform Salāh , Hajj, or other religious obligations, are called upon to bear the responsibility of Imām! Given that the child, or insane person have no legal responsibility over the own person or wealth, then how can they exercise authority over a whole people?

4.2.3.3. Masculinity:

This is based on the narration of Abū Bakrah al-Thaqafi from the Prophet, peace be upon him, when he heard that the Persians put the daughter of Khesru on the throne, he said: "No success shall be had by people who granted a woman authority over their affairs."⁴⁷⁴

"The majority of the scholars hold that a woman cannot sit as a judge or in high leadership."⁴⁷⁵

Objection was raised to this in some quarters on the grounds that the *Ḥadīth* was specific to the Persians, which is not so, since the fundamental rule is that the generality of the text supersedes the specificity of the reason, and in the Shari'ah commands, generality is the rule unless there is evidence of specificity; which is not the case here.

A woman is less efficient than a man in administering state affairs in war and peace.

The man is stronger in intellect, more robust mentally, fairer in perspective, stricter than a woman, and Allāh has given him overarching responsibility over the woman,

as in the verse: { *Men have charge of women because Allah has preferred the one above the other...* } (⁴⁷⁶)⁴⁷⁷.

⁴⁷⁴ Al-Bukhāri, Kitāb al-Fitan, 917 and others.

⁴⁷⁵ Ibn Ḥajar, Fath al-Bāri, 8/128.

⁴⁷⁶ Al-Nisā' 34.

"The man has been preferred over women in a number of aspects, in relation to positions of state [*Wilayah*] responsibility being exclusive to men, as well as in the area of Prophet hood and delivering the Divine Message."⁴⁷⁸

4.2.3.4. Ability:

This refers to mental and physical ability.

"As for ability, it is that he should be courageous in imposing Ḥudūd [Islamic penal code], and waging war, with expertise in that. He should be able to convince people of his cause, be knowledgeable of their classes, and state of cunning, as well as being strong in suffering the burdens of politics. This is required for him to properly undertake his duties of protecting the religion, performing Jihad against the enemy, establishing Islamic rules, and managing the public interest."⁴⁷⁹

Imām al-Juwaini⁴⁸⁰ said:

"As for sight, there is no dispute among scholars in that it is a condition governing ability, since lack of it contradicts the ability to rise to the challenges of crises, and events, leading to complications during times of great need."⁴⁸¹

Some scholars have taken the opposite view;

477 Sulaymān Qāsim 'Īd, *al-Nizām al-Siyāsī fī al-Islām*, p.148.

478 Al-Sa'dī, *Taysīr al-Karīm al-Raḥmān fī Tafsīr Kalām al-Manān*, 2/60.

479 Ibn Khuldūn, *al-Muqadimah*, p.32.

480 Introduced previously.

481 al-Juwainī, *Ghiyāth al-Umam*, p.60.

"It does not hurt the *Imām* to suffer from a physical defect like blindness, deafness, loss of part of the ear or nose, being hunchbacked, no hands or feet, or advanced age, so long as he is sound of mind, even if he were 100 years old; the position of Imām assumed by any of them is permissible."⁴⁸²

This opinion contradicts that of the majority of scholars; moreover, al-Juwaini cited unanimity in sight being a condition, as presented. It is basic that blindness is a handicap to discharging the duty of Imām appropriately.

4.2.3.5. Freedom:

There is no dispute in the *'Ummah* on this issue; "the *'Ummah* is unanimous that the position of Imām cannot be assumed by slaves."⁴⁸³

Freedom is the opposite of slavery, and the slave does not qualify to be an *Imām* of the Muslims. This ruling also applies to the escaped slave, one who is in the process of gaining contracted freedom, because he is occupied in the service of his master. He has no freedom than to act for himself or in his wealth, so how can he be given authority to act over an entire people, or nation. In addition, slavery leads to loss of respect, and slaves receive no respect from the people; hence, people may disdain him and see themselves as above obeying him.⁴⁸⁴

This rule is not relaxed, except in the case were a slave usurps the Khilāfah, and his removal will lead to such a state of turmoil and upheaval, as well as bloodletting, that it is best if he is obeyed. This in accordance to the *Hadīth*, where the Prophet, peace

482 Ibn Ḥazm, al-Fasl fī al-Mīlāl wa al-Nihāl, p.128.

483 Al-Shinqīṭī, Adwā' al-Bayān, 1/128.

484 Sulaymān ibn Qāsim al-ʿĪd, op. cit., p.146.

be upon him said: "Hear and obey, even if a black slave takes authority over you."⁴⁸⁵

4.2.3.6. Knowledge:

The rule states that: whatever is required in the discharge of an obligation, itself becomes obligatory. One of the highest duties of the *Imām* is establishing the *Hudūd*, *Ṣalāh*, and the public religious rites, and so the *Imām* must be knowledgeable in these, and their dimensions. This condition is not disputed among scholars, however they differed on whether he must be a Mujtahid [Jurist exercising independent deduction of rulings from the textual evidence] or not? Al-Māwardi⁴⁸⁶ and ibn Khuldūn both held that he must be a Mujtahid; "it is not sufficient in terms of knowledge, that he not be a Mujtahid, because emulating, or following another scholar is a shortcoming, while the Imāmah requires perfection in all descriptions."⁴⁸⁷ Moreover, al-Juwaini,⁴⁸⁸ al-Ghazālī,⁴⁸⁹ and others have mentioned that it is an undisputed condition.

However,

"a section of scholars of Islam have leaned to the opinion—that the Imām need not be a *Mujtahid*—nor an expert in the areas of *Ijtihād* [juristic efforts]. However, he must be accompanied by those with the faculty to do so,

485 Muslim, Kitāb al-Imārah. Bāb Wujūb Tā'at al-Umarā' fī Ghayr Ma'siyah, 4/503.

486 Al-Māwardī, al-Aḥkām al-Sultāniyah, p.6.

487 Ibn Khuldūn, al-Muqaddimah, p.132.

488 Al-Juwaynī, Ghiyāth al-Umam fī Iltiyāth al-Zulam, p.36.

489 Al-Ghazālī, al-Radd 'alā al-Bāṭiniyyah, who got 278.

whereby he may refer to them on any issue, and seek their advice on what is

Halal [permissible] and what is Haram [not permissible.]"⁴⁹⁰

They defined the necessary amount of knowledge that the ruler must possess, in that he must know of the Qurān and Sunnah what relates to specific and general rulings, what is described generally, and what is attributed specifically, the abrogated text, the Mutawatir in the Sunnah and others, Mutasil, Mursal the competence of Ḥadīth reporters, the Arabic language and grammar, the scholar's opinions of the Companions and later generations, both in agreement or dispute as well as Qiyās in all its forms.⁴⁹¹

Perhaps setting the condition of *Ijtihād* was easily envisaged during the earlier times in the Islamic state, however later on this condition became difficult to apply due to the dearth of Mujtahids in these times. Therefore, many contemporary scholars hold the opinion that the Imām does not need to be a *Mujtahid*. This averts paralysis seizing authority due to neglected positions, with consequent harms, and the *Sharī'ah* rules not being applied. In this case, the Imām must seek help from persons more knowledgeable than he.⁴⁹²

The merits of the condition set on knowledge appear in the following:

- a. His knowledge of the Islamic rulings.
- b. An ability to teach and educate people generally, and his close circle particularly.
- c. His independence from having to seek Fatwa from others in new developments.

490 Al-Shahrastānī, al-Milal wa al-Nihāl, p.160.

491 Al-Nawawī, Nihāyat al-Muḥtāj Sharḥ al-Minhāj, 8/82.

492 Sulaymān ibn Qāsim al-ʿĪd, op. cit., p.150.

since in needing to refer and ask, he departs from a position of complete independence.

d. His rulings gain permanence preventing successors from cancelling these, i.e. his rulings acquire the power of established judicial rulings.⁴⁹³

4.2.3.7. Qurayshite Lineage:

This condition was posed by the majority of scholars, with some leading scholars claiming unanimity on the issue. The mainstay of the condition regarding Qurayshite lineage is the statement of the Prophet, peace be upon him: "This matter will remain in Quraysh, so long as two of them remain."⁴⁹⁴

In addition to the *Ḥadīth*: "People follow Quraysh in this matter; the Muslim follows their Muslim, and the non-Muslim follows their non-Muslim."⁴⁹⁵

These *Ḥadīths*, and their like, are clear proof that *Khilāfah* belongs to Quraysh, and it is not permissible to grant it to others. This was unanimity in the time of the Companions, and the following generations. Those who contradicted this view, innovators or others, are defeated by the unanimity of the Companions and the pious generations that followed them, in view of the authentic *Ḥadīths*.

Al-Qāḍī 'Iyād said: "the condition that he is from Quraysh is the opinion of all scholars."⁴⁹⁶

Some scholars held the opinion not to consider lineage from Quraysh as a condition. Others, like ibn al-Juwaynī considered that in the presence of a Qurayshite who

493 Yahyā Ismā'īl, *Minhāj al-Sunnah fī al-'alāqah bayn al-Ḥākim wa al-Maḥkūm*, p.279.

494 Al-Bukhārī, *al-Jāmi' al-Saḥīḥ*, Kitāb al-Manāqib, *Ḥadīth* No. 3500.

495 Al-Bukhārī, *al-Jāmi' al-Saḥīḥ*, Kitāb al-Manāqib, *Ḥadīth* No. 3496.

496 Al-Nawawī, *Sharḥ Saḥīḥ Muslim*, 4/481.

fulfilled the required conditions, then it was not permissible for any other person to hold that position, if not then others have precedence.

He said: "if the Qurayshite does not have the expertise and there was a pious scholar at the time, then the scholar is given precedence; whoever is not qualified then there is no reason to consider them in the first place."⁴⁹⁷

Imām Aḥmad was asked about two men for the position of leader in battle. One of them is strong but sinful, and the other is pious but weak. We should lead in battle?

He responded: regarding the powerful but sinful one, his strength is for the Muslims, while his sins affect him personally. As for the weak but pious man, his piety is for himself, while his weakness is against the Muslims.⁴⁹⁸

4.2.3.8. Integrity:

The rules regarding integrity is that the person is pious with high morality, approaching matters by choosing what is obligatory, and recommended, while avoiding what is shameful and corrupt.⁴⁹⁹

Al-Māwardī interpreted it in his statement: "truthful in word, clearly trustworthy, chaste and avoiding sins, far from suspicions, just in pleasure or anger, utilising the morality of others in the service of religion and the worldly life."⁵⁰⁰

As for ibn Ḥazm, he explained that it was: "avoiding major sins, and non-appearance of the minor sins."⁵⁰¹

This was a condition set by al-Qādī Abū Ya'lā: "that he be the best among them in

497 Al-Juwaynī, *Ghiyāth al-Umam*, p.229.

498 ibn Taymiyah, *Al-Siyāsah al-Shar'iyyah*, p.10.

499 Ibid., p.70.

500 Al-Māwardī, *al-Aḥkām al-Sultāniyyah*, p.64.

501 Ibn Ḥazm, *al-Muḥallā*, 10/508.

knowledge and religion.”⁵⁰² However, this is not a position to be endorsed, because the Prophet,, peace be upon him, appointed people while there were others better than them, as mentioned by ibn Ḥazm.⁵⁰³

4.2.4. Duties of the Imām

The duties of the Imām can be placed under two main fundamentals. The first: preserving the religion on its immutable foundations of Qur’ān, *Sunnah*, and unanimity of the pious predecessors, as well as establishing the religious rites. The second: concern for the interests of Muslims in all forms.

In detailing these duties, we may summarise them in the following points:

1. Protecting the religion of Islam with the utmost efforts of the believers, repelling the doubts cast by falsifiers, and combating falsehoods and innovations that corrupt people's beliefs.
2. Implementing the Sharī’ah rules, and establishing the Ḥudūd [Islamic punishments,] in order to safeguard against the violation of the prohibitions of Allah, and protect people's rights.
3. Unifying the diverse opinions through consultation, ending disputes, and deciding matters in burgeoning events and developing issues.
4. Protecting and fortifying frontiers of the state, protecting people’s honour, as well as establishing security in the Muslim lands.
5. Establishing Jihad, and inviting people to Islam in the best way.
6. Collecting charity and wealth that Allah has commanded to be paid, and spending this on deserving causes.

502 Al-Māwardī, al-Aḥkām al-Sultāniyyah, p.20.

503 Ibn Ḥazm, al-Faṣl fī al-Milal wa al-Niḥal, p.128.

7. Working to acquire everything of benefit to the Muslims, strengthening their power, empowering them, and facilitating a life of ease and prosperity.
8. Choosing competent ministers, and advisers, achieving Shura [consultation], and accepting Nasīḥah from them⁵⁰⁴.
9. There are duties that were emphasised by al-Samhūdi in his book, which will be expanded here:
 - Establishing justice, deterring injustice and oppression, and not secluding himself from the Muslims.

This duty is the one that has been dwelt upon the most in his book. It could be said that the book revolves around fulfilment of this duty.

Allah, Most High, has made the discharge of justice an obligation up on Muslim rulers, and anyone given authority over a large or small number of persons. There are many proofs from the Qurān and Sunnah on the obligatory nature of establishing justice, for example:

*{ Allah commands justice, doing good, and giving to relatives. He forbids indecency, wrongdoing, and tyranny. He warns you that you may pay heed. }*⁵⁰⁵

*{ Allah commands you to return to their owners the things you hold on trust, and when you judge between people to judge with justice. How excellent is what Allah exhorts you to do! Allah is All-Hearing, All-Seeing. }*⁵⁰⁶

504 For further detail, Cf: Manhaj al-Sunnah fī al-‘alāqah bayn al-Ḥākim wa l-Maḥkūm by Dr. Yahyā Ismā‘il, p.331; al-Dawlah al-Islāmiyyah bayn al-Turāth wa al-Mu’āsarah, Dr. Tawfiq al-Wā‘i, p.252; al-Nizām al-Siyāsī fī al-Islām, Dr. Nu’mān al-Samarrā’ī p.125.

505 Al-Nahl 90.

{ Say: My Lord has commanded justice... }⁵⁰⁷

Abū Hurairah reported that the Prophet, peace be upon him, said: "Every Emir (individual given authority) over ten [or more] will be brought in chains on the Day of Judgement; justice will be his release, and oppression his perdition."⁵⁰⁸

Abū Dharr reported that the Prophet, peace be upon him, said that Allah, Most High, said: "My servants, I have prohibited injustice upon Myself, and have made it prohibited among you, so do not practise it..."⁵⁰⁹

Allah made justice an obligation, to ensure a proper and safe life for mankind, in which their worldly and religious affairs are in order. In Islam, the command in terms of justice was not restricted to friends alone, rather it encompassed even enemies as stated by Allah:

{ You who have Iman! Observe integrity for the sake of Allah, bearing witness with justice. Do not let hatred for people incite you into not being just. Be just. That is closer to piety. Have piety in Allah. Allah is aware of what you do }⁵¹⁰.

The Prophet, peace be upon him was the best example in this. 'Ā'ishah reported that Quraysh was troubled by the issue of the noble woman from Makhzūm who had

506 Al-Nisā' 58.

507 Al-Araf 29.

508 Narrated by Aḥmad in al-Musnad, 2/431 with authentic chain of narration as in al-Silsilah al-Saḥīḥah, 6/237.

509 Muslim, Kitāb al-Birr wa al-Ṣilah, 2577.

510 Al-Mā'idah 8.

stolen. They discussed amongst themselves, as to who would intercede with the Messenger of Allāh, peace be upon him. They concluded that it could only be Usāma ibn Zayd who was most beloved to the Messenger of Allah, peace be upon him. Usāma spoke to him on the matter. The Messenger of Allah, peace be upon him, said: do you intercede in a punishment mandated by Allah. He stood up and delivered a sermon, in which he said: the previous nations had perished because they distinguished between the nobles, who if they committed a crime were not held to account, while the poor and weak were punished. The Messenger of Allah made an oath by Allah that if his daughter Fātima were to steal, he would cut off her hand.⁵¹¹

This is the pinnacle of justice, where the person does justice even against his closest and most beloved.

As for the ruler not secluding himself from the Muslims, hearing their complaint, and opening his doors to them, Umar said: I do not appoint my governors over you to flay your skins, insult your reputation, and take your wealth, but I appoint them to teach you the Book of your Lord, and Sunnah of your Prophet. Whosoever has a complaint against them, then he needs no permission to see me, and I shall ensure that it is dealt with justly.⁵¹²

- Following up on matters of dams, irrigation canals and bridges:

This is one of the duties of the Imām mentioned by al-Samhūdi, which gives us an insight into his personality. Mentioning dams, bridges, and irrigation canals in some precise detail tells us that al-Samhūdi was among those scholars who mixed with the people, and looked to their interests and affairs, and were not isolated from daily life.

511 Al-Bukhārī, Kitāb al-Ḥudūd, 6788.

512 Ibn Sa'd, al-Ṭabaqāt al-Kubrā, 3/202 --- its narrators are trustworthy.

The dams he spoke about were used to regulate the flow of water, and were vital, since any problem in their construction or function spells disaster, as is well known in the scale of destruction in the aftermath of flooding. Dams hold back huge quantities of water, which if it escapes brings death and destruction, and harms people's interests.

In addition, the care needed in the construction of bridges, with no cheating either in the construction or materials, especially when they connect towns and villages. Their collapse or deterioration brings huge damage to people's interests.

Following up the availability of products and services and the state of trading, as well as essentials in the markets; never allowing any one of the merchants or notables to monopolise the essentials needed by people or cheat on them.

Al-Samhūdī cautioned rulers in this matter are very clearly. He described some of the violations that occurred in his time, in the markets, products, and the monopoly thereof. The intention was that the ruler was to supervise the markets, in terms of ensuring availability of goods and services, watching the merchants and whether they were forcing high prices in goods and services, or whether they were reasonable, such that individuals were able to buy their needs without difficulty.

It is also permissible for the ruler, if he considered it appropriate, and where matters had gotten out of hand, in terms of prices of goods and services, to set prices for products in order to safeguard the interests of both consumers and merchants alike.

It is narrated on the authority of Anas ibn Malek, Qatadah, and Humaid that Anas said: Messenger of Allah, prices have risen [to extremes], so set prices for us. The Messenger of Allah, peace be upon him responded: "Allah is the One who set prices,

He withholds, He grants, and He is the Provider; I hope to meet Allāh, without any of you demanding redress of me in blood or wealth."⁵¹³

Many scholars have deduced from this Ḥadīth, the prohibition of setting prices because of the potential for injustice, and because it is contrary to the freedom that is given to every person in their wealth, or buying, and selling. Setting prices is also a restrictive practice, since the interests of the buyer are no more important than those of the seller.

However, some scholars like Mālik, and others from the Shāfi'ī school of *Fiqh* considered it permissible to set prices in times of astronomical prices, where this was in the public interest.⁵¹⁴

The ruler must also look into sales, ensuring there is no cheating or misrepresentation, prohibiting these practices and punishing accordingly.

If the act of cheating took the form of misrepresentation or mis-description to the detriment of the buyer, who is unaware and incapable of properly assessing, then this is considered more serious, and the punishment for it greater. Similarly, if the goods were less than perfect, and this was apparent to the buyer, then this was considered less sinful, with lighter punishment meted out.

However, it must also be considered whether the buyer intends to sell the goods further along the line, where he himself will indulge in cheating, then both buyer and seller are to be cautioned, or punished accordingly.⁵¹⁵

If it is found out that a livestock trader indulges in the practice of tying the udders of

⁵¹³ Muslim, chapter on setting prices, 2994.

⁵¹⁴ Sayed Sābiq, *Fiqh al-Sunnah*, p.118.

⁵¹⁵ Abū Ya'lā, *al-Aḥkām al-Ṣultāniyyah*, p.298.

sheep, goats, or camels, leaving them without milking, to give the false impression that they produce large quantities of milk as a matter of course. then this would attract punishment as well.⁵¹⁶

The ruler must also station soldiers and police in the markets in order to resolve disputes, and keep the peace; markets generally are places of many disagreements and argument.

The ruler must also put in place a system of testing scales and balances used by traders, and ensure that there is no cheating in weighing goods. If that were the case, then the offender must make good the equipment and take the appropriate punishment.⁵¹⁷

4.2.5. The ruler's rights upon his subjects

After presenting the rights of the people, we need to present the rights accorded the ruler. Among these:

4.2.5.1. Obedience:

This means compliance with orders and instructions; its opposite is sin which is disobedience. In the Arabic, the word is taken from the root “‘Atā’a” meaning to be led, while sin is taken from a root word “‘Asā” meaning to be unyielding.⁵¹⁸

The ruler must be obeyed in matters where there is no disobedience of Allāh. If the matter involves a sin, then the rule is that the Creator cannot be disobeyed on account of instructions by one of His creatures. This is manifest in the Ayah: { *You who*

⁵¹⁶ Ibid., p.299.

⁵¹⁷ Ibid.

⁵¹⁸ Ibn Arabī al-Māikī, Aḥkām al-Qurān, 1/415

believe! Obey Allah and obey the Messenger...}⁵¹⁹.

Abd Allah ibn Umar reported that the Prophet, peace be upon him, said: "the Muslim is obliged to hear and obey in what he loves and hates, unless he is commanded to sin. If he is instructed to commit a sin, then no obedience."⁵²⁰

‘Ubādah ibn al-Sāmit reported: the Prophet, peace be upon him, invited us to make a pledge. Among those things that we pledged was to hear and obey in good health and enthusiasm, as well as in what is hateful and difficult, in times of adversity or ease, and even where we do not receive our due—and that we not dispute the matter with its people [compete to rule], and said: "unless you see manifest and clear disbelief, of which you hold clear evidence from Allah."⁵²¹

Disobedience of the Emir is disobedience of the Messenger, peace be upon him, as in the Ḥadīth: "who obeys me, obeys Allah. Who disobeys me, has disobeyed Allah. Who obeys my Emir has obeyed me, and who disobeys my Emir has disobeyed me."⁵²²

The *Sharī’ah* has emphasised the importance of obedience, even if the Monarch in question was an oppressor, and especially if revolting against him led to greater harm that far surpassed the benefit in removing him. Abd Allah ibn Masūd reported that the Prophet, peace be upon him said: "[there will be a time when] you would not be given your due, and witness matters that you reject. They said: Messenger of Allah what do you command us? He said: discharge the rights required of you, and ask Allah for

⁵¹⁹ Muḥammad 33.

⁵²⁰ Al-Bukhārī, Kitāb al-Fitan, 7144.

⁵²¹ Al-Bukhārī, Kitāb al-Fitan, 7056; Muslim, Kitāb al-Imārah, 1709.

⁵²² Previously introduced, p.35.

what is your due."⁵²³

4.2.5.2. Support:

The people must support the ruler against the enemies of the Ummah, and those plotting against it—disbelievers, hypocrites, aggressors, and rebels, as well as combating the enemies of the religion, and other issues that are needed in supporting the Imām.

“Muslims must support the sultan in his campaign against highwaymen and fighters, until he prevails over them.”⁵²⁴

Al-Māwardi states:

"if the Imām discharges his duties—then he has fulfilled the right of Allah, in what the Ummah has right over him—then two rights over them become his due: obedience and support, so long as he does not change."⁵²⁵

4.2.5.3. Right to wealth:

This defines what the ruler may take to be rightfully his. There are two aspects to this:

First: compensation or reward for his work for the Ummah and Muslims, because it will prevent him from working in order to feed himself and his family. Therefore, this gives him a right to payment from the Treasury [Bayt al-Mal].

Second: he enters in the categories mentioned by the Ayah of Qurān: workers in charity, and so he has a right from that angle as well.⁵²⁶

523 Al-Bukhārī, Kitāb al-Manāqib, 3603; Muslim, Kitāb al-Imārah, 1843.

524 Ibn Taymiyah, al-Siyāsah al-Shar'īyah, p.24.

525 Al-Māwardī, al-Aḥkām al-Ṣultāniyyah, p.11.

However this right is restricted and not unlimited, and the rule is that he take no more than what is due to him.

Ali reported that the Messenger of Allāh, peace be upon him said: "The Khalīfah is only allowed, out of the wealth of Allāh, two receptacles of food, one for himself and his family, and the other for the people [seeing him.]"⁵²⁷

Al-Ḥasan ibn ‘Alī said:

"when Abū bakr was on his deathbed, he said: ‘Ā’ishah look at the animal from which we drank milk, and the receptacle in which we had breakfast, and the cloak which we wore. We had use of these, while we administered the affairs of Muslims. When I die, return them to Umar. When Abū bakr died, she sent these to Umar. Umar said: Allah have mercy upon you, you have made life difficult for those who come after you."⁵²⁸

Ali reported:

"the camels of *Sadaqah* [charity] were driven past the Messenger of Allah, peace be upon him. With his hand he took a piece of wool from the side of one, and said: I have no more right to this wisp of wool than a man from the Muslims."⁵²⁹

526 Ibn Taymiyah, Minhāj al-Sunnah, 3/191.

527 Narrated by: Aḥmad, al-Musnad, 1/48. al-Haythamī stated in al-Majma’ (5/231): a Ḥasan Ḥadīth.

528 Narrated by: al-Tabarānī; al-Haythamī stated in al-Majma’ (2/231): its narrators are trustworthy.

529 Narrated by: Aḥmad, al-Musnad, 1/88. al-Haythamī stated in al-Majma’ (5/231): in the chain of narrators is Amr ibn Ghuzi who was not weakened by anyone, the rest of its narrators are trustworthy’.

Ibn Taymiyah said:

"the duty is to take rule as a religious obligation and act of worship to bring one closer to Allah. Coming closer to Allah is through obedience to Him, and His Messenger, which is the best form of worship. However, the state of the majority of people is corrupted by seeking leadership or wealth through it."⁵³⁰

4.2.6. How is the *Khalīfah* chosen?

In the Islamic system, the *Khalīfah* is chosen by one of the following means:

- First: election.
- Second: appointment as named successor.
- Third: inherited title.
- Fourth: force of arms.

4.2.6.1. Election:

The evidence for this lies in:

a- Election of Abū Bakr:

This took place when the *Anṣār* and *Muhājirūn* assembled in the garden of Banū Ṣa'dah, where discussions and debate took place among them. The leaders of *al-Anṣār* mentioned their merits, and invaluable contribution for the sake of Allah and His Messenger—deservedly so. Abū Bakr wished to end the matter decisively by recommending Umar or Abū 'Ubaydah ibn al-Jarrāḥ, having explained to them that the Imāmah was restricted to Quraysh, while al-Anṣār were as mentioned worthy of merit, yet could only be ministers and helpers.

⁵³⁰ Ibn Taymiyah, *al-Siyāsah al-Shar'iyyah*, p.82.

However, ‘Umar ended the impasse by calling upon everyone to pledge allegiance to Abū Bakr. He called Abū Bakr, and said to him: give me your hand, Abū Bakr. When he did so, ‘Umar made the pledge to him. He was followed by Abū Ubaydah, then many of the *Muhājirūn* and *Ansār* followed suit. This pledge by the elite to Abū Bakr took place in that shaded garden, and was followed by a public pledge by the people.⁵³¹

b- The election of ‘Uthmān:

This took place with the knowledge and acquiescence of the Companions. Al-Mūsawar ibn Makhramah reported that the group appointed by Umar met and consulted. Abd al-Raḥmān said to them: I am not one to compete with you in this matter, but if you wish I will choose for you—one from among you. They agreed to his request. When this was done, the people turned to Abd al-Raḥmān, and abandoned the rest of the group. People referred to Abd al-Raḥmān consulting him those nights, until that night we woke up to give the pledge to ‘Uthmān.

Al-Mūsawar said: Abd al-Raḥmān knocked on my door at a late hour and woke me up. He said: I see you are asleep, by Allah, my eyes have not seen much sleep these three days. Go and invite al-Zubair and Saad. So I invited them, and he consulted with them. He then asked me to invite Ali. I did so. He consulted with him well into the night. Ali then left with a look of expectation; Abd al-Raḥmān was worried that Ali might do something.

He then said: call ‘Uthmān. I invited him, and they spoke until the Fajr muezzin called to prayer. After people prayed, and the group collected at the Minbar [pulpit]: he invited the Muhājirūn and Ansār, as well as the commanders of the army who had

⁵³¹ Ibn Sa’d, *al-Ṭabaqāt al-Kubrā*, 3/128.

performed Hajj with Umar, to attend. When they were all assembled, he invoked the name of Allah, and said:

Ali, I have looked into this matter regarding this responsibility on matters of the people, and found that they would accept no one other than 'Uthmān, so do not allow your aspiration to come in the way.

He said: I give my pledge to you on the Sunnah of Allāh and His Messenger, and the two Khalīfahs after him. Abd al-Raḥmān then gave his pledge, followed by the Muhājirūn, the Ansār, the commanders of the army, and the Muslims.⁵³²

c- 'Alī:

This occurred when the Companions offered their pledge to 'Alī after the assassination of 'Uthmān. He responded by saying: I would receive it in the mosque; the pledge must be public, and must have the acquiescence of the Muslims. Such was the situation, that 'Abd Allāh ibn 'Abbās said: I was not happy for him to come to the mosque, feeling that he would be heckled. However, he would only have it in the mosque.

When 'Alī entered the mosque, the *Muhājirūn* and *'Ansār* gave him their pledge, followed by the people.⁵³³

4.2.6.2. Appointment as named successor (*al-Istikhlāf*):

Jurists have established that naming a successor is permissible, and evidentially based on *Ijmā'* (unanimity). Al-Māwardī stated that appointment to the *Imāmah* by being named as successor by the previous *Imām* has been accepted unanimously as permissible. This agreement on its correctness is based on the following, which

⁵³² Al-Bukhārī, Bāb kayf yubayī' al-Imām al-Nās, 6781.

⁵³³ Narrated by: al-Bukhārī, Bāb Kayf Yubayī' al-Nās al-'Imām, 6781.

Muslims have accepted:

a- Abū Bakr named ‘Umar as his successor, and the Muslims accepted him as *‘Imām* on that basis.

b- ‘Umar gave the issue over to a group of competent persons forming a consultative body. Muslims of that favoured generation accepted this, endorsing the correctness of this action, i.e. acceptance of the appointment of the *Imām* chosen in this way.

In the case of Abū Bakr, as he was dying, he questioned some of the Companions about ‘Umar, among them Abd al-Raḥmān ibn ‘Awf, ‘Uthmān ibn ‘Affān, Usayd ibn Ḥuḍayr, and all of them praised him. Abū Bakr then instructed ‘Uthmān to write down his appointment of ‘Umar as successor. Abū Bakr then came out to the people and informed them that he had chosen ‘Umar to be *Imām* after him, and commanded them to hear and obey ‘Umar. When Abū Bakr passed away, ‘Umar entered the mosque, where people made a public pledge to him.⁵³⁴

As for ‘Umar, when he was stabbed by Abū Lu‘lu‘ah al-Majūsī, and knew he was dying, he said to the Companions: choose a man from among that group whom the Messenger of Allah, peace be upon him, said were of the people of Paradise: ‘Alī, ‘Uthmān --- descendants of ‘Abd Manāf, ‘Abd al-Raḥmān, Sa‘ad --- uncles of the Messenger of Alāh, al-Zubayr ibn al-‘Awwām --- his cousin, Ṭalḥah ibn ‘Abd Allāh; and if they appoint an *Imām* then support him well. If one of you is given a trust, then let him discharge it as should be.

A deadline of three days after the death of ‘Umar was set to decide the matter. So when ‘Umar was buried, al-Miqdād ibn al-Aswad brought together this group of Companions in the house of al-Muṣawwir ibn Makhramah (and it was said in the

⁵³⁴ Ibn Taymiyah, *Minhāj al-Sunnah al-Nabawīyah*, 1/369.

house of ‘Ā’ishah). Before the three days were over, Abd al-Raḥmān ibn ‘Awf chose ‘Uthmān based on the wishes of the *Muhājirūn* and *Anṣār*; he was duly given the pledge by the other members of that group, followed by the people.

4.2.6.3. Inherited Title

This is a case where a monarch hands over to his son. This was first done by Mu’āwiyah when he became *Imām*, he named his son, Yazīd ibn Mu’āwiyah, as his successor, and the people gave their pledge on that basis.

The Messenger, peace be upon him, had stated: "The first to change my Sunnah will be a man from banī Umayyah."⁵³⁵

Many scholars have refuted the correctness of this method of appointment. However, they have only accepted it in same context as the fourth type, which is existence of compelling force.⁵³⁶

This no doubt is not in accordance with the way of the Prophet, peace be upon him, nor that of ‘Umar or Abū Bakr rather it was by coercion.

4.2.6.4. By force and coercion:

This is different to the previous one, where there is no dispute between one monarch and the other. However, in terms of force and coercion, this occurs after dispute, and fighting. If two rulers disagree, and each wishes to rule; one of them will overpower the other and govern by force. The jurists have differed on this issue into distinct viewpoints, while both agree that it is illegal and unconstitutional, they disagreed on

535 See: al-Albānī, *Silsilat al-Aḥādīth al-Saḥīḥah*, 1749. al-Albānī said: (perhaps the Ḥadīth indicates changing the system of choosing the Khalīfah making it by inheritance); the apparent meaning.

536 See: Hākīm al-Muṭayrī, *al-Ḥuriyyah aw al-Ṭufān*, pp.110-120.

how to deal with it in the context of potential turmoil, disunity, bloodshed among Muslims, instability and lack of security.

The first opinion: concedes rule to the victor, al-Ghazālī states: the position we take without doubt, is that he must be removed, if tenable, on condition that he is replaced by one who fulfils all the criteria, without fomenting turmoil, and provoking fighting. and if that cannot be without bloodshed, then he must be obeyed, and conceded the position of '*Imām*'.⁵³⁷

The second opinion: considers that the '*Imāmah*' as wrested by force of arms is not established, unless there is acquiescence and free choice, and where the criteria of '*Imām*' are satisfied.⁵³⁸

4.2.7. End of the '*Imām*'s term in power:

This may be due to:

- Death.
- Resignation.

Change in circumstances, like

- Gross impiety (*Fisq*).
- Disbelief.
- Defect in one of the senses.
- Insanity.

⁵³⁷ Al-Ghazālī, al-Iqtisād fī al-I'tiqād, pp.137, 138.

⁵³⁸ Further detail in: al-Aḥkām al-Ṣultāniyyah, pp.8, 35; Dr. Tawfīq al-Wā'ī, al-Dawlah al-Islāmiyyah bayn al-Turāth wa al-Mu'āṣarah, pp.270, 272.

4.2.7.1. As for **death**, this is self-evident. If the Khalīfah dies then he is automatically removed from rule, since he is unable to continue in his duties. After his death, the Ummah (Muslim nation) is required to choose a successor quickly.

4.2.7.2. As for **resignation**, this when the Khalīfah may wish to relinquish his position. The scholars have disagreed on this issue; whether the Khalīfah has the right to resign from the duties of government?

The first opinion considers this permissible, because for the *Khalīfah* to continue in his position without motivation will no doubt harm the performance of his work, with the negative consequences borne by the Ummah.

Al-Māwardī said: "if the *Khalīfah* resigns, power passes to his successor; in resignation, the same rule as death applies."⁵³⁹

This is acceptable only in the case where the *Khalīfah* has no ulterior motive that will bring harm to the Ummah. For example, if he were to resign his position in order to hand power to someone unsuitable. In this case, it is not permissible for him to resign, and must be held to account. However, if he still wishes to resign, then *Ahl al-Ḥal wa al-ʿAqd* (competent councillors and scholars) take up the duty of appointing the person they consider most suited for this critical position.

4.2.7.3. **Changes in the *Khalīfah*'s person:**

a- **Change to impious person (*Fāsiq*):**

This is a contentious issue, and Sunni scholars consider that the *Khalīfah* is not removed due to his *Fisq* (impiety), so long as it does not amount to (*Kufr*) disbelief, or does not affect the religion and its propagation. Moreover, that he does not attempt to impose his transgressions on the common people using the power vested in him, or

539 Al-Mawardī, al-Aḥkām al-Ṣultāniyyah, p.11.

makes enemies of those people working to eradicate that *Fisq* given he is a perpetrator; in all these cases, it is not permissible to allow him to continue in his position.

The same applies, if he introduces an innovation in religion, which is manifestly detrimental to it. However, the scholars add the proviso of power to remove him, which if lacking then there can be no obligation to do so.

b- Disbelief:

Ahl al-Sunnah wa al-Jamā'ah (Sunnīs) are unanimous that if the ruler commits an act of disbelief, and is considered a non-Muslim as a result, ceases to rule. This according to the ḥadith of the Prophet, peace be upon him: "listen and obey... unless you see manifest disbelief for which you have clear proof from Allāh."⁵⁴⁰

Al-Qādī 'Iyād said: the scholars are unanimously agreed that *Imāmah* cannot be given to any non-Muslim, and that if he had been a Muslim, but later left Islam, he is removed. This is the case if he stopped praying, and ceased promoting the act of prayer, if he develops disbelief, introduces changes to the Shari'ah, or practised an innovation in religion, he ceases to exercise the authority of *Imām*, and is no longer to be obeyed; Muslims are required to revolt and remove him, appointing a just *Imām* in his place, insofar as they are able to. However, if this task falls to a group, then they are obliged to remove the non-Muslim, but not the innovator, unless they are certain of their ability to do so; if certain of their inability, then they are not obliged to undertake this task.⁵⁴¹

c- Loss of a sense or limb:

⁵⁴⁰ Previously mentioned.

⁵⁴¹ Al-Nawawī, *Sharḥ Saḥīḥ Muslim*, 4: 506.

In the case where he is blinded, physically handicapped, develops deafness, etc... or developed a problem that renders him incapable of fulfilling his duties. Physical capability has been previously discussed in the criteria attached to the Imāmah.

d- Insanity:

In the case where the Khalīfah develops insanity, then he must be removed, since he is incapable of dealing with the affairs of the *Khilāfah* and leadership. Sanity is a condition for the appointment of the *Khalīfah* and leadership, its absence negates the ability to take up that position.⁵⁴²

4.3. Scholars

4.3.1. The Scholars' Methodology in Giving *Naṣīḥah* to Rulers

Scholars occupy a place of high rank and stature in the religion, given that they are the inheritors of the Prophets. When the scholars are righteous, people and rulers are righteous, while if they are corrupt then this makes for corruption in rulers and people. The established relationship between scholars and people is that of educating them in matters of religion, which improve their worldly life. The relationship between scholars and rulers is that of tendering good advice. In this context, scholars have applied different methodologies:

a. Methodology 1: this is applied by a category of scholars which the Prophet, peace be upon him, warned about. These are scholars who beguile rulers, and bend the texts of Sharī'ah to suit their oppression and sinfulness. Moreover, they are silent in the face of rulers if they go astray and lead astray, and if they deprive people of their rights, all this in return for wealth, fame, and high position that they wish to gain from

542 Dr. Ismail Badawī, *al-Siyāsah al-Shar'iyyah wa Taṭbiqatuhā fī al-Hiqbah al-Mithāliyyah li al-Dawlah al-Islāmiyyah*, p.31.

the rulers.

The Prophet, peace be upon him is reported to have said:

"I fear not for my Ummah, believer nor idolater. The believer is prevented by his belief, and the idolater is held back by his disbelief, but I fear for them the hypocrite... who says what you accept, and does what you reject."⁵⁴³

He, peace be upon him, also said:

"The man is brought on the Day of Judgement and thrown into the Hellfire. His intestines fall out, and he trots around as does the mule yoked to the millstone. The people of the Hellfire congregate around him, saying: so and so, what happened? Did you not command good and forbid evil? He would reply: I used to command good, and not do it, and forbid evil yet do it."⁵⁴⁴

The Prophet, peace be upon him was asked: What deed is best?

He replied: "Avoiding what is prohibited, and that your tongue is wet and in remembrance of Allāh."

He was asked: Who is the best companion?

He said: "If you remember [Allāh] he is your helper, and if you forget, reminds you."

It was said: Who are the worst people?

He said: "The scholars if they are corrupted."⁵⁴⁵

543 Narrated by: al-Ṭabarānī, al-Mu'jam al-Saghīr, 2/93; classed as weak in chain of narration by al-Albānī in: Da'īf al-Targhīb wa al-Tarhīb, p.108.

544 Narrated by: al-Bukhārī, Saḥīḥ al-Bukhārī, Bāb Ṣifāt al-Nār wa Annahā Makhluqah, 3027.

545 Al-Jāhiz, al-Bayān wa al-Tabyīn, 1/16: al-Badrī, al-Islām bayn al-'Ulamā' wa al-Ḥukkām, p.44.

In reality, scholars are one of three types: those who consign themselves and others to perdition, and are explicitly in pursuit of the worldly life. Those who bring happiness to themselves and others, and invite people to Allāh, both publicly and in secret. Then there are those who consign themselves to perdition, and bring happiness to others, by inviting to the Hereafter, and rejecting the world apparently, while secretly in pursuit of it.⁵⁴⁶

Some scholars, argue the case for not giving advice to rulers, by commanding them to do good, and forbidding them from doing evil, on the premise of the verse: {*do not cast yourselves into destruction.*}⁵⁴⁷

They quote this verse of Qur`ān in the context of defending themselves, while being called upon to condemn the acts of oppressive rulers, or clarify the Islamic standpoint⁵⁴⁸ regarding their oppressive and sinful acts; their excuse—we will kill ourselves if we do that. This is at opposite to the attitude of the people of religion and belief who are truly reliant on Allāh.

The statement by `Alī, may Allāh be pleased with him: commanding good and prohibiting evil does not shorten a lifespan, or reduce provision; best of all is the just word rendered unto an oppressive ruler.⁵⁴⁹

The *Ḥadīth* of the Messenger, peace be upon him:

"The witness to an oppressive sultan, who disregards prohibitions of Allāh, disavows his covenant with Allāh, is contrary to the *Sunnah* of the Messenger

546 Al-Ghazālī, *Iḥyā' `Ulūm al-Dīn*, 1/48.

547 Al-Baqarah 195.

548 al-Badrī, *al-Islām bayn al-`Ulamā' wa al-Ḥukkām*, p.48.

549 Al-Sharīf al-Radī, *Nahj al-Balaghah*, 3/244.

of Allāh, dealing with the servants of Allāh sinfully and in aggression, then does not change by word or action, then by right, Allāh will deal with both equally.⁵⁵⁰

The verse cited by this category of scholars may possibly be used as evidence in not rendering advice to oppressive and tyrannical rulers, yet cannot be evidence for seeking to come closer to them in order to gain wealth or position. The meaning derived from this verse is correct, in that the scholar in rendering advice to the ruler may expose himself to death, and therefore has permission not to do so, in the interest of self-preservation.

b. Second methodology:

This is practised by scholars who fear no one in the cause of Allah. They sit with, and mix with the rulers with the aim of admonishing them, and guiding them to the correct path.

"What is permissible in the context of commanding good and forbidding evil with sultans is to clarify with admonition, as for using harsh words, like: "oppressor", "you who does not fear Allāh", and the like, this only foments turmoil whose evil goes on to touch others; this is not permitted. If he feared only for himself, then it is allowable in the view of the majority of scholars.⁵⁵¹ However, it is a condition that in giving *Naṣīḥah* to rulers, the consequences and outcomes must be very clear. In the case where it leads to harm to others, then it is not permissible to do it. The rule is that changing an evil must not lead to a greater evil falling on others. Hence, if a consequence of tendering advice brings harm only to the person tendering it, then it is

550 Al-Ṭabarī, *Tafsīr al-Ṭabarī*, 3/260.

551 Ibn Muflīḥ, *al-Ādāb al-Sharʿiyyah*, 1/197.

permissible for that person, and he is rewarded for that. however it is not an obligation on him and he has permission to withhold his advice.

In the words of ibn al-Jawzī, the scholars who uphold the second methodology are further subdivided into two categories:

A category who see benefit in sitting with and mixing with rulers on the understanding furnished by ibn al-Jawzī regarding withholding *Nasīḥah* in the instances where it may lead to their death.

Another category, who do not see it fit to mix with rulers, and in so doing may put themselves in harm's way for the sake of Allāh, in rejecting evil. I shall present some instances that demonstrate the position of the scholars in giving advice to rulers from both categories.

Imām al-Ḥasan al-Baṣrī was asked: Why do you not go to see the Emirs, in order to command good and forbid evil? He said: the believer has not to humiliate himself; their swords are faster than our tongues.⁵⁵²

It seems that al-Ḥasan al-Baṣrī had evaluated the position, and concluded that there was no benefit in giving advice to the ruler, because he was ill disposed towards that, and would kill any person offering advice. Therefore, he chose not to lend advice.

Sufyān al-Thawrī used to hate being in the company of monarchs in the first place, and would escape from that. When he was asked to assume the post of judge, he refused, and escaped to Baṣrah in secret.⁵⁵³

We emphasise here that Sufyān al-Thawrī in refusing to take up the position of judge, had reflected on the position from his personal perspective. Otherwise, there were

⁵⁵² Ibn Sa'd, al-Ṭabaqāt, 7/121.

⁵⁵³ Ibid., 6/350.

many scholars who took up such position. For example, *Imām Abū Yūsuf* held the opposite opinion to his teacher, *Imām Abū Ḥanīfah* on this issue.⁵⁵⁴

Imām Mālik ibn Anas wrote his famous letter to *Hārūn al-Rashīd* giving him advice: remind yourself off the tribulations of the moments at death's door, and those things that you shall suffer from it, and what you shall pass through after death in being brought before Allāh... he then reminded him of the hellfire, and the dire punishments therein. He then said to him: do not be secure in discharging matters except by appointing those who fear Allāh. It has come to my knowledge that *ʿUmar ibn al-Khaṭṭāb* said: consult in your matters those who fear Allāh.

Imām Mālik also said to him: beware evil counsellors for your well-being, obey Allāh and disobey the people, and do not obey people by disobeying Allāh. The Messenger, peace be upon him said: "no obedience to the creature in disobedience to the Creator."⁵⁵⁵

This was the methodology of righteous scholars in tendering advice to rulers. We shall furnish further examples in the section relating to scholars who put their faith in Allāh, while giving advice to the rulers, and suffering harm.

4.3.2. The requirement of wisdom in giving advice to the ruler

It is clear from the previous discussion, that the ruler has an eminent position in Islam. Through him the affairs of land and people may be the improved, and therefore when tendering advice to him, a number of etiquettes must be observed:

Observing secrecy and being alone with him when commanding and forbidding him.

In the narration of *Imām Muslim*, the Prophet, peace be upon him, said:

⁵⁵⁴ Al-Bayanūnī, *Jihād al-Kalimah*, p.89.

⁵⁵⁵ Al-Ghazālī, *Ihyā ʿUlūm al-Dīn*, 7/77.

"Whoever wishes to give advice to the sultan, then let him not do it publicly, rather take him by the hand until alone, before doing so. If he accepts the advice, then it is so, otherwise the person has fulfilled his duty."⁵⁵⁶

This ensures that he is not angered, and assures him that the objective is not to erode respect for him in the hearts of his subjects.

He chooses to speak to the sultan in solitude, rather than doing so in public. Moreover, he wishes if he could do it secretly, and give him advice in the absence of any third party⁵⁵⁷.

Among these etiquettes:

When he directs his speech to him, he does so in a way different to that which he uses with others. For example: avoiding saying "fear Allah", "do not do such and such". Rather, he should speak to him gently, Allah commanded Mūsa and Harūn to observe this, when He sent them to Pharaoh { *Go to Pharaoh, he has transgressed, and address him with gentle speech, perhaps he is reminded, or is fearful;* }⁵⁵⁸ this has better chance of gaining a positive reaction.

Some scholars have addressed rulers with a degree of harshness, but this is not considered the norm in tendering advice to rulers, and is contrary to the statement by the Messenger, peace be upon him:

"Whoever wishes to give advice to the sultan, then let him not do it publicly.

556 Ibn Abū 'Āsīm, al-Sunnah, 1096: al-Albānī said it is Ṣaḥīḥ.

557 Al-Samarqandī, Tanbīh al-Ghāfilīn 'an A'māl al-Jahilīn wa Taḥdhīr al-Salikīn min Af'āl al-Hālikīn, p.64.

558 Tāha:44.

rather take him by the hand until alone, before doing so. If he accepts the advice, then it is so otherwise the person has fulfilled his duty."⁵⁵⁹

Their action is considered *Ijtihād* on their part, while the fundamental rule is contrary to that, i.e. being soft and gentle with rulers.

- Among the etiquettes:

Patience in the face of the ruler's harshness or coldness towards the scholar who commands and forbids him.

He must choose the time to admonish carefully, since not every moment is opportune. For example, approaching an angry man to command and forbid him, with potentially negative consequences. This is why the judge is instructed not to sit in judgement while angry. In the same way, the person must choose the most appropriate time in which to present his admonition, when the ruler is tranquil and content, and therefore most receptive to advice.

3.8.3. Rulers' methods in terrorising and tempting scholars and the scholars' position

The scholars when they undertake the duty of *Naṣīḥah* to the ruler in pointing out what is not right, do so in light of the *Ḥadīth* of the Prophet, peace be upon him:

"The witness to an oppressive sultan, who disregards prohibitions of Allāh, disavows his covenant with Allāh, contrary to the *Sunnah* of the Messenger of Allāh, dealing with the servants of Allāh sinfully and in aggression, then does not change by word or action, then by right, Allāh will deal with both equally."⁵⁶⁰

⁵⁵⁹ Ibn Abū 'Āsīm, al-Sunnah, 1096: al-Albānī said it is Ṣaḥīḥ.

⁵⁶⁰ Al-Ṭabarī, Tafsīr al-Ṭabarī, 3/307.

Scholars have taken varying positions in dealing with the methods used by rulers both to terrorise and tempt them.

4.3.3.1. Temptation:

This is where the oppressive ruler, when given advice, attempts to win over hearts with his gifts, and promise of wealth and position.

Scholars in this context have taken two positions:

- **First: categorically refusing to accept gifts from rulers.**

Among them are: abū Ḥanīfah al-Nu'mān, Sufyān al-Thawrī, al-Fudayl ibn 'Iyād, Aḥmad ibn Ḥanbal, and the majority of the scholars of *Ḥadīth*.

In their view, gifts from rulers at the time were akin to the ruler testing the extent of the scholar's loyalty to him.

This refusal, at times quite frequent, subjected them to problems, and made them target of animosity, but they cared not.

For example, Al-Shāfi'ī nominated Aḥmad as judge in Yemen for the *Khalīfah* al-Amīn. Aḥmad said to al-Shāfi'ī: abū 'Abd Allāh, if I hear this from you again, then you shall not see me again.⁵⁶¹

Al-Ma'mūn sent a quantity of money to one of the scholars of *Ḥadīth* at the time, to distribute it among the men of *Ḥadīth* and students. Many accepted, but not 'Imām Aḥmad, despite his need; this was an act of righteous caution and ascetism on his part.⁵⁶²

Abū Ḥanīfah judged a dispute between Abū Ja'far al-Manṣūr and his wife al-Ḥurrah.

⁵⁶¹ Ibn al-Jawzī, *Manāqib al-'Imām Aḥmad*, p.271.

⁵⁶² Abū Nu'āym, *Ḥilyat al-Awliyā'* Ibn Abū 'Āsīm, *al-Sunnah*, 9/181.

He adjudicated without fear or obsequiousness, despite the renowned violence and tyrannical attitude of abū Ja'far. When he did so, al-Hurra sent a servant with money, clothes, a slave girl, and a mule. He refused these, and said to the servant: give her my *salām* (greetings), and say to her: I stood up for my religion, and took a position for the sake of Allāh, without wish to gain the pleasure of anyone nor the chattels of this world.⁵⁶³

Abū Ja'far al-Mansūr called Sufyān al-Thawrī, and asked him to request whatever he wished. Sufyān answered him by saying: fear Allāh, as you have filled the earth with injustice and oppression. Al-Mansūr lowered his head [in shame], then repeated his request. He was answered: you are in the position that you are now due to the swords of *al-Muhajirūn* and *al-Ansār*, yet their children are dying of hunger, so fear Allāh, and give them their rights. Al-Mansūr lowered his head, and repeated the same question: what is your need? But Sufyān turned around and left.⁵⁶⁴

Among the many examples of the ascetism of scholars in regard to financial gifts is that of 'Atā' ibn abū Rabāḥ, when he came to Abd al-Malik ibn Marwān, who got up and sat him beside him, and said: Abū Muḥammad what is your need?

'Atā' responded: leader of the faithful, fear Allāh in the sanctified House of Allāh [the *Ka'bah*], and the mosque of the Messenger of Allāh, and look to their maintenance. Fear Allāh in the children of *al-Muhajirūn* and *al-Ansār*, it is through them that you sit here. Fear Allāh in those people stationed in the defence of the frontiers, since it is the defence of the Muslims. Inspect and look after the affairs of the Muslims, since you

⁵⁶³ Muḥammad abū Zahra, abū Ḥanīfah, p.37.

⁵⁶⁴ Al-Ghazālī, *Iḥyā' 'Ulūm al-Dīn*, 5/120.

are responsible for them. Fear Allāh in those who stand at your door, that you do not neglect them, nor close it in their face.

The Khalīfah said: I shall do so.

He then added: Abū Muḥammad, you have asked us to attend to the needs of others, and we have done so; so what is your need?

He answered: I have no need of a creature of Allāh, and left.

The Khalīfah said: this is [true] honour.⁵⁶⁵

- The second category of scholars does not consider the matter problematic, and take from the ruler's gifts, on the basis:

First: they do not consider this an issue of *Ḥalāl* or *Ḥarām*, but a matter of being cautious in the interests of righteousness and integrity.

Second: those who accepted these gifts, did so to spend on the needy people who had no access to the ruler, and so state their needs, and take their rightful share.

Third: they considered that, like all Muslims, they had rightful share in the Treasury.

Hence, rulers had no favour over them, and that it was fully their right.

In this context, it is worthwhile to mention two things:

First: although the scholars differed in accepting money from the ruler, they were agreed that his wealth was not illicit.

Second: despite accepting from the ruler, they acted with complete propriety in what pleases Allah and His Messenger. They admonished and feared no one but Allāh.

Among them was al-Ḥasan al-Baṣrī, and Mālik ibn Anas, who held that it was permissible to take money from the *Khalīfah*, because it belonged to the Muslims, and those who had prime right to it were the people of knowledge, who had dedicated

⁵⁶⁵ Al-Dhahabī, *Siyar A'lām al-Nubalā'*, 5:84.

themselves to teaching people the matters of their life.⁵⁶⁶

However, if it was established that the ruler's wealth was illicit, or that he was ill-intentioned in granting financial gifts to scholars, then without exception they would all refuse.

Al-Ghazālī stated that the wealth of sultans in our time is all or partly illicit (*Ḥarām*).

Why not, when what is legitimate are *ṣadaqah* (charity), prizes of war, and booty, and this has ceased to exist, and nothing of it comes into the possession of the sultan. The only thing left is *Jizyah* (tax on non-Muslims), and this is taken in various forms of injustice by which it should not be taken. They transgress and exceed the limits of *Sharī'ah* in what is taken, without thought for who they take it from, and without fulfilling their end of the contract. If you add to that, the *kharāj* (tax on the produce of land) imposed on Muslims, the confiscations, bribes, and the variety of injustices, then what is legitimate does not amount to more than a minuscule fraction.⁵⁶⁷

He goes even further, in responding to those who have permitted accepting from the wealth of sultans in his time, on the pretext that the Companions and following pious generation, used to do so. He said:

Oppressors in the first generation, due to the proximity to the time of the Rightly-Guided *Khalīfahs*, were very conscious of their injustice, and sought to win over the Companions and the Tabi'un. Hence, they pursued them to accept their gifts, and would send these without pre-condition or intended insult; on the contrary, they would consider it a favour upon them if these persons were to accept. On their part, the Companions and others would take

⁵⁶⁶ Muḥammad abū Zahra, Aḥmad ibn Ḥanbal Ḥayatuh wa Fiqhuh, p.76.

⁵⁶⁷ Al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 2/139.

from them, and give it away, while refusing to comply with their wishes, not attending their sittings, rarely frequenting their gatherings, not wishing for their longevity, would supplicate against them, lash them with their tongues, and condemn their misdeeds openly. Hence, there was no fear that in receiving from them it would be to the detriment of their religion, and so there was no issue. As for our time, the sultans give only to those they wished to employ, count among their numerous of courtiers, utilise in their service, and decorate their sittings. Moreover, they would task them with making supplications for them, expressing admiration, and complimenting them in their presence and absence. Therefore, the person if he did not humiliate himself, either by asking for money, being in their service, complimenting and making supplications, helping them in their endeavours when required, increasing the number of persons around them in their sittings and processions, showing love, loyalty, and support for them against enemies, covering up their injustice, ugly deeds and sins, would not receive a single silver coin, even if he were of the stature of al-Shāfi'ī, for example. Therefore, it is not permissible to take from them in this time, what is known to be *Ḥalāl*, due to the reasons stated above, so how can it be when it is known that the money is *Ḥarām*, or comes from shady sources. Therefore, the person who accepts from their wealth, while likening himself to the Companions and the generation after them, has [in fact] compared the angels to ironmongers⁵⁶⁸.

It can be said that gifts given based on receiving something in return cannot be accepted, and if given without condition, nor for gagging mouths in saying the truth, then it is permissible.

4.3.3.2. Utilising fear:

568 Al-Ghazālī, *Iḥyā' 'Ulūm al-Dīn*, 2/139.

Some rulers were not satisfied with the use of enticements, and would also employ the threat of death and violence. In contrast, the scholars set examples in confronting, and dealing with such threat.

The scholars knew that in reality they were putting themselves and future at mortal risk, but also knew the huge reward promised by Allāh to those who undertook this duty. The Prophet, peace be upon him said: "The master of martyrs is Ḥamza ibn abd al-Muṭṭalib, and the man who stood up to an oppressive ruler, commanding and prohibiting him, and was killed"⁵⁶⁹.

This category of scholars did not criticise those who did not emulate them in this action, rather they had undertaken upon themselves to take the difficult route, based on the love of martyrdom, and so setting a good example for the *Ummah* after them.

Examples:

On the authority of abū Muslim al-Khawlānī, and Mu'āwiyah ibn abī Sufyān that the latter was making a speech, having postponed payment of the monthly stipend by two or three months. Abū Muslim said to him: O' Mu'āwiyah, this money is not yours, nor your father's or your mother's. Mu'āwiyah indicated to the people that they should wait for him. He descended from the pulpit, washed, returned and said: O' people, abū Muslim has mentioned that this money is not mine, not my father's nor mother's; what abū Muslim has said is true. I heard the Messenger of Allāh, peace be upon him, say: "anger is from Satan; Satan is from fire, and water extinguishes fire. If one of you is angered, let him wash. Go and receive your stipends with the blessing of Allāh."⁵⁷⁰

⁵⁶⁹ Narrated by: Abū Dāwūd, Kitāb al-Malāhim, Bāb 16; al-Tirmidhī, Bāb al-Fitan, Bāb 9; with Ḥasan chain. See: 3675 in Ṣaḥīḥ al-Jāmi'.

⁵⁷⁰ Ḥilyat al-Awliyā', 2/130; al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 5/70.

King Ismā'īl feared Najm al-Dīn ibn Ayūb, ruler of Egypt. For that reason, he made an alliance with the European Crusaders and enlisted their help. In return, he handed over the citadels of Ṣafad and al-Shaqīf, and the areas surrounding them; shared control over Sidon, Tiberius and their territories, as well as Jabal 'Āmir and the coastal lands. He even allowed them into Damascus, and to buy weapons. The scholar, al-'Izz ibn 'abd al-Salām, witnessed these events. He responded on the Friday by taking to the pulpit, and condemning these actions. He described the magnitude of this massive treachery to the entire Muslim *Ummah*, and stopped making the supplication in the name of King Ismā'īl, and instead supplicated: O' Allāh bring forth for this nation, a reckoning of good, in which the good are glorified, and your enemies humiliated; in which obedience is observed, and your disobedience prohibited; with the people following him in supplication.

When King Ismā'īl learned of this, he commanded that al-'Izz ibn abd al-Salām be removed from his position of authority, had him put under house arrest, and forbade him to give Fatwa to the people.⁵⁷¹

Another example that highlights the readiness for martyrdom in the cause of truth in the face of tyrants, is that of ibn Taymiyah when he met Ghāzān, the Mongol king. He told the interpreter: say to Ghāzān that you claim to be a Muslim, and have Muezzins, a judge, Imām, and scholar, from what we have heard. However, you have invaded our lands, for what? Your father and grandfather, Hūlākū, were non-Muslims, they did not invade the lands of Islam, rather they made treaties with our people. Yet you have made treaties, and not respected them; promised and broken your word.

The narrator said: there were exchanges with Ghāzān, Qatlushāh, and Bulāy, where

571 Al-Subkī, *Ṭabaqāt al-Shāfi'iyyah*, 8/243.

ibn Taymiyah firmly and righteously stood his ground, and said the truth without fear, except of Allāh. Food was brought, and they ate, except ibn Taymiyah. He was asked why he did not eat. He replied: how can I eat your food, and all of it has been robbed from the people; you took their goats, and cooked it with wood cut from their trees.

The narrator said: then Ghāzān asked him to supplicate. In his supplication he said: O' Allāh, if this servant of Yours, is fighting so that Your Word is elevated, and that the religion is fully observed for Your sake, then help him, grant him victory, and power over land and people. However, if he does so only for fame, and worldly gain; for his word to be lofty, and that Islam and its people are humbled, then abandon him, shake the ground under him, destroy him, and end him forever.

All this, with Ghāzān raising his hands, and saying "Amen" after his words.

We gathered our clothes to us, for fear that they would be spattered with the blood of ibn Taymiyah. When we left his audience, the Chief Justice, Najm al-Dīn ibn Sussrī, and others said to him: you nearly killed yourself and us with you; and by Allāh, we will not accompany you from here.

He replied: and I, by Allāh, shall not accompany you.

So we set off as a group, and he and a small group were slightly delayed. The commanders and princes, from the company of Ghāzān, heard of him and congregated to receive the blessing of his supplication. He was journeying back into Damascus, and they were looking at him in admiration. The narrator said: by Allāh he arrived in Damascus in the company of 300 of their nobles. As for those who had refused to accompany him, they were attacked by a band of Mongols, who slaughtered them to the last man.⁵⁷²

572 Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, 14/89.

It is clear from the previous examples, that this category of scholars, had their unique style of dealing with rulers, which was confronting the ruler with the truth of his injustice, without fear, even when the consequences were grave, and included sacrificing their own lives. It can be said that the scholars had a vital role in influencing the rulers, and hence reflecting in the reform of the State and society.

4.4. The Most Important Topics raised by al-Samhūdī in his Book

- The intellect[*‘Aql*]
- The prohibition on employing *’Ahl al-Dhimmah*.
- *Hisbah*.
- Ministers.

4.4.1. Introduction:

The topics and issues mentioned by al-Samhūdī in his book, are interrelated and similar, coming under the headings of morals and etiquettes, which the ruler must abide by. Some came in the form of description of the reality witnessed and suffered by al-Samhūdī, who wanted to change it, first by describing it, and then through advice, and by bringing it to the attention of the ruler.

The most important topics addressed by al-Samhūdī, and deserve to be discussed at some length:

4.4.2. The intellect:

This is one of the first topics mentioned by al-Samhūdī in the book, and it is worth studying it from two angles. The first: the scholars' commentary on *Ḥadīths* relating to the intellect mentioned and depended upon by al-Samhūdī. Second: a controversy raised by al-Samhūdī in the book, which is that the religion follows the intellect.

al-Samhūdī concerned himself with the intellect, and began his book by defining it, and its types, in order to call the ruler's attention to the fact that it is a favour from

Allāh, and that rulers whom Allāh had blessed with intellect must put it to the use of establishing justice, and combating injustice.

al-Samhūdī defined the intellect as a force of instinct (i.e. natural) given by Allāh to specific persons among his creatures, with which to comprehend.

It is as though al-Samhūdī wished to say that those fortunate ones were the rulers.

There are other definitions for intellect, among them:

1. The intellect is an instinctive force in the person that holds him back from committing ugly deeds, and clarifies for him those praiseworthy matters.
2. The intellect is the instinct by which the human being knows, and distinguishes between what benefits him and what does not.⁵⁷³
3. The intellect is a light in the heart nourished to distinguish between truth and falsehood. Through the intellect what is *Ḥalāl* and *Ḥarām* were recognized, as were the rulings of Islam.⁵⁷⁴
4. The intellect is an instinct placed by Allāh in the majority of his creatures, for which they have no faculty or sense to gauge it in themselves or others, rather Allāh informed them of it, i.e. intellect is an instinct.⁵⁷⁵

In the previous definitions, it is to be noted that they all mentioned the intellect as an instinctive force, placed by Allāh in the human being by which he comprehends matters. This is true to the *Ḥadīth* of the Messenger of Allāh, peace be upon him: "no person has acquired anything better than intellect, it guides him to the truth or

573 Ibn Taymiyah, *Majmū‘ al-Fatāwā*, 9/286.

574 Muḥammad, al-Ṣāyim, *Qīmat al-‘Aql fī al-Islām*, p.20.

575 Al-Ḥarīth al-Muḥāsibī, *Māhiyat al-‘Aql wa Ma’nāh*, p.201.

consigns him to perdition."⁵⁷⁶

al-Samhūdī then mentioned the two parts of the intellect:

1. A part that accepts increase and decrease according to experiences and events from which it derives benefits and experience.
2. A part that does not increase or decrease, i.e. the natural instinctive intellect, over which the human being will be held to account for his actions.

‘Alī ibn Abū Ṭālib, mentioned that the intellect is two kinds: static and dynamic. The static is explained by the prophetic *Ḥadīth*: "no person has acquired anything better than intellect...", and the dynamic is what acquires experiences and knowledge.⁵⁷⁷

The scholars have endorsed al-Samhūdī's classification, and explained that the second depends on the first, since it cannot be complete without it. The human being cannot benefit from experiences, events, and knowledge, unless his instinctive intellect is complete. It is inconceivable that an insane person can learn something from incidents and experiences, because he lacks the instinctive intellect.⁵⁷⁸

4.4.2.1. *Ḥadīths* relating to intellect:

al-Samhūdī in his discussion on the intellect, cited the long *Ḥadīth* "When Allāh created the intellect..."⁵⁷⁹, which mentions the virtues and importance of the intellect.

However, the scholars have stated that the *Ḥadīths* on the intellect are not reliable.

Ibn al-Qayyim stated: all the *Ḥadīths* on intellect are fabrication. It has also been said that there is no authentic report regarding the intellect from the Messenger of Allāh.

576 Narrated by: al-Ṭabarānī in al-Kabīr and al-Awsaṭ, as in Majma' al-Zawā'id by al-Haythamī, 1/121. He commented: the chain contains abd al-Raḥmān ibn Zayd ibn Aslam who is **weak**.

577 Salāḥ al-Dīn, al-'Aql fī al-Islām, p.9.

578 Muḥammad, al-Ṣāyīm, Qīmat al-'Aql fī al-Islām, p.18.

579 This is found where it is mentioned in the work.

On the other hand, some scholars have studied the chain of narration of the *Ḥadīth* used by al-Samhūdī, and said that the worst that can be said about it is that it is weak in some of its chains of narration.⁵⁸⁰

4.4.2.2. A controversy in the treatise on intellect:

al-Samhūdī in his discussion of intellect raised an old and substantial controversy, which had attracted much study, and dispute between scholars, to the point that ibn Taymiyah wrote a whole book dedicated to the subject, consisting of 10 volumes, which he titled: Repelling the contradiction between intellect and [religious] texts. In it, he responded to those who said that the intellect should be given precedence over the texts, in the cases of apparent disagreement between both.

al-Samhūdī raised this issue in his statement: “know that religion follows the intellect, and wherever the intellect is, the religion is with it.”

If al-Samhūdī meant by his statement that Allāh in his favour and clemency over His servants, had not mandated things that contradicted sound intellect, and made the religion in harmony with the human intellect, in its rulings represented by commands and prohibitions; this is the opinion upheld by the scholars.

However, if he meant that the *Sharī'ah* is secondary to the intellect, i.e. any aspect of religion is not applied, until it is reviewed in light of the intellect, whereby if the intellect accepts it then it is acceptable, and if not then rejected; this is a highly erroneous statement, and is based on a false premise, i.e. the assumption that there is contradiction between sound intellect and correct and clear revelation. There is no example of this in the entire *Sharī'ah*. Moreover, it is inconceivable that Allāh would

580 Al-Manār fī al-Ṣaḥīḥ wa al-Da'if, p.66; al-Fitnī, Tadhkirat 'al-Mawdu'āt, p.29. The issue contains much detail; Cf: Ṣalāḥ al-Dīn, al-'Aql fī al-Islām, pp.29, 39-41.

command reflection: {*ponder, O' people of mind*}, then oblige them to observe matters that contradict their intelligence, such that they are vexed, and fall into error and confusion.

The *Sharī'ah* text comes first, and is followed by the intellect. It is not permissible that the intellect roam freely, but must be checked by the revelation. This is because the *Sharī'ah* came to restrict the intellect, by prohibiting certain action, and commanding others. The intellect must not overstep the limits, otherwise this is a trespass on the *Sharī'ah*.⁵⁸¹

In conclusion, this matter is complex, and I wanted to mention the scholars' opinions on the issue, and that what the majority uphold is that the intellect is secondary to the religion, and not the contrary.⁵⁸²

4.4.3. Employment of '*Ahl al-Dhimmah*

This is one of the most extensive among the topics discussed by the author in his book. He tackled this issue with some strictness and harshness towards '*Ahl al-Dhimmah*, and this is attributed, as described by al-Samhūdī, to the fact that '*Ahl al-Dhimmah* had taken over the sensitive State positions and employed these in controlling and humiliating the Muslims, and that the governors and rulers had made them close to them, such that they had power over the majority of Muslims.

al-Samhūdī's reaction was forceful, and he collated the evidence from the Qur'ān and *Sunnah*, as well as the scholars' statements that indicate that '*Ahl al-Dhimmah* should not be employed, nor taken as helpers. He exhorted rulers not to employ them, nor

⁵⁸¹ Muḥammad, al-Ṣāyim, *Qīmat al-'Aql fī al-Islām*, p.40.

⁵⁸² Ibn Taymiyah, *Dār' Ta'arūḍ al-'Aql wa al-Naql*; study and review: Dr. Muḥammad al-Sayyid al-Jalīd, pp.59-150.

make them part of their inner circle, and that this was contrary to the *Sharī'ah*.

Among what he said: the ruler must work to remove the corruption, and prevent 'Ahl/ *al-Dhimmah* from taking up authority in matters concerning the people.

He also said: do we not fear, that the wrath and punishment of Allāh would fall on us, by making His enemies our friends, employing them as scribes and governors in place of the believers.

He also said in describing his time, as was mentioned in a previous chapter: "their impiety was clear in their disregard for the honour of Muslims, their treachery in financial dealing... they rode horses, and were evil and abusive in public. One was witnessed taking his foot out of the stirrup, and kicking Muslims in the face with impunity.

He also said: The ruler, May Allāh aid him, act to remove every *Dhimmi* from post of responsibility, and replace him with a Muslim, because the clear proof of Allāh stands against all those who befriend them, take them as scribes and close associates, or giving them authority in a matter concerning Muslims, or sought sufficiency in them, while disregarding the Muslims.

Finally, he said: the Qur'ānic verses, and *Hadīths* mentioned in not taking 'Ahl/ *al-Dhimmah* as allies, and not employing them, are many. If we were to mention them all, the book would not have been sufficient, but in this there is sufficiency for those of reflection.

4.4.4. *Hisbah*

This is one of the topics addressed by al-Samhūdī where he described the state of the *Muhtasib* in his time, and warned the ruler about it. I shall give a general idea on *Hisbah*, its development, the important conditions, etiquettes, and the authorities of those undertaking it, as well as its protocols. The reason for such detail in the topic of

Hisbah, is that al-Samhūdī's book is considered to be an example of *Hisbah* practised by scholars over rulers: through advice and reminder.

Who should be employed as Minister, where I shall define the term, and its types. I shall also indicate the main references that mention the most important characteristics to be found in a minister.

4.4.4.1. Definition of *Hisbah*.

It is commanding good, where it has been manifestly abandoned, and forbidding evil where it is manifestly practised.⁵⁸³

Al-Muhtasib: is the person who undertakes this responsibility of commanding good [*ma'rūf*] and prohibiting evil [*munkar*].

- *Ma'rūf*: is every statement, act, or intention that Allāh has extolled and commanded. For example: helping the poor and needy, building schools, establishing hospitals and orphanages, repairing public infrastructure, etc.
- *Munkar*: is every statement, act, or intention that Allāh has condemned and forbidden. For example: consuming alcohol, spying, backbiting, lying, cheating, etc.⁵⁸⁴

It is important here to make a distinction in regard of whether commanding good and prohibiting evil are the same as *Hisbah* in every respect?

Reflecting upon *Hisbah* and '*Amr bi al-Ma'rūf wa Nahy 'an al-Munkar*, reveals some differences:

Amr bi al-Ma'rūf wa Nahy 'an al-Munkar is a religious obligation upon every

583 Al-Māwardī, al-Aḥkām al-Ṣultāniyyah, p.240; abū Ya'lā, al-Aḥkām al-Ṣultāniyyah, p.284.

584 Ibrāhīm al-Shīhāwī, al-Ḥisbah fī al-Islām, p.9; Dr. Ismā'il al-Badawī, al-Siyāsah al-Shar'iyyah, p.285.

Muhtasib by virtue of the position given him by the ruler. As for, *Amr bi al-Ma'rūf wa Nahy 'an al-Munkar*, it is *fard kifāyah* arising from the voluntary action of the person. The *Muhtasib* is held to account for neglecting the duty of *Hisbah*, while the ordinary person performing *Amr bi al-Ma'rūf wa Nahy 'an al-Munkar* is not.

The *Muhtasib* is not allowed to be taken away from the duty of *Hisbah* by any other work, since *Ihtisāb* is his main function. As for the volunteer, he is permitted to undertake other work taking him away from performing *Hisbah*, since in this case he is only a volunteer undertaking a non-obligatory role.

1. The *Muhtasib* is appointed to be called upon, and be available in matters where it is an obligation to command, or prohibit; in both cases he must respond.
2. The volunteer is not appointed to do this, and therefore he is given a free choice on whether to respond when asked to do so, or not.
3. The *Muhtasib* is duty bound to search out the manifest instances of *Munkar*, as well as the instances of non-abidance with the religious command; for example, not performing prayer or fasting. However, the volunteer is not obliged to do so, and at times it may be considered against the volunteer to reveal those improprieties of persons, which he is forbidden to reveal. However, if he witnesses *Munkar* practised, or *Ma'rūf* performed, then he has the right to prohibit and command.
4. The *Muhtasib* appoints helpers who are themselves vested with the authority from the State. This gives him the power and authority to carry out his work, and he is permitted to employ force in the course of his work, because he has leave from the sultan to do so. However, the volunteer has only limited power to do so, where no greater evil results, or provokes conflict, fighting, or dispute leading to chaos. Some scholars consider that this sinful behaviour, and their rule regarding *Amr bi*

al-Ma'rūf wa Nahy 'an al-Munkar, is that it is not permissible to undertake it in those cases, where the results are far worse than the matter being tackled.

5. The *Muhtasib* has the power to punish those who commit public *Munkar*, on condition that the punishment does not reach the level of one of the prescribed Islamic punishments (*Hudūd*). The volunteer has no authority to punish, but can only explain and clarify.
6. The *Muhtasib* receives a salary, reward, or remuneration for carrying out this role, because he is a State employee. As for the volunteer, he cannot claim payment, since he is quite simply—a volunteer.⁵⁸⁵

4.4.4.2. The Development of *Hisbah*

Human nature is such that a person may at times to leave the path of good, and seek to satisfy his whims and desires in disobedience of the *Sharī'ah*, and resulting in injury to people, and trespass on their rights. Therefore, Islam encouraged people to condemn and not be silent, where they witness departure from the path of righteousness, and injustice upon people. Furthermore, individuals are chosen according to specific criteria, who undertake the duty of overseeing and reforming people. The first to practice this was the Prophet, peace be upon him.

Abū Hurayrah narrated that the Messenger of Allāh, peace be upon him, passed by a sack of food. He put his hand in it, and felt some damp. He said: "what is this?" The man replied: it is the sky that did this, Messenger of Allāh. He said: "place it on top, so that people can see it; he who cheats is not of me"⁵⁸⁶.

585 Ibrāhīm al-Shihāwī, *al-Hisbah fī al-Islām*. p.78: Dr. Ismā'īl al-Badawī, *al-Siyāsah al-Shar'iyyah*, p.286.

586 Narrated by: Muslim, Bāb 43. 1/99.

His example was followed by the *Khalīfahs*, and Companions. ‘Umar ibn al-Khaṭṭāb used to carry out the duty of *Ḥisbah* personally, inspecting the markets, walking around at night to ensure security, to such an extent that he would forbid mistreatment of animals. Al-Musayab ibn Daram said: I saw ‘Umar ibn al-Khaṭṭāb beat a camel driver, saying to him: you have burdened your camel more than it can bear.⁵⁸⁷

The criteria for the person given the duty of *Ḥisbah* are: belief, maturity, capability, integrity.

These criteria can be classified into two types:

- **Agreed upon Criteria;**

- Islam.
- Maturity.
- Capability.
- Knowledge.

- **Disputed Criteria**

- Freedom.
- Integrity.
- Permission by the sultan or head of state.

- **Agreed upon Criteria;**

1-Islam:

There is no disagreement regarding this condition, since the non-Muslim cannot command a Muslim to do good, nor forbid him from doing evil. Moreover, the duty of *Ḥisbah* is an authority over the Muslim, and a non-Muslim cannot be given power

587 Ibrāhīm al-Shihāwī, *al-Ḥisbah fī al-Islām*, p.104; Dr. Ismā‘īl al-Badawī, *al-Siyāsah al-Shar‘iyyah*, p.286.

over a Muslim.

2-Maturity:

This is also fundamental, since a person who is underage, or not mature is not obliged to perform the fundamental religious acts like *Ṣalāh*, *Zakāh*, etc. let alone more.

Ḥisbah is also an act of obedience to Allāh, and cannot be undertaken except by those who comprehend it, and wish for its reward, while those who are not mature, cannot understand nor seek its reward.

3- Ability to perform *Amr bi al-Ma'rūf wa Nahy 'an al-Munkar*.

This condition means that the individual employed to perform *Ḥisba* must be strong in their religion, and in their command and prohibition, since they will need to use their tongue and hand. The person who is incapable, is not obliged to perform *Ḥisbah*.⁵⁸⁸

4- Knowledge:

This means that the *Muhtasib* must be knowledgeable in what he commands or prohibits. The ignorant person is not allowed to command or prohibit, because he will bring more harm than good, and is likely to see good as evil and evil as good. Therefore the person must be knowledgeable in the rules of Shari'ah, its aims, such that his command and prohibition are in accordance to the Will of Allah, generally, when there is no specific text relating to the issue.

There is an important issue related to this condition: in those matters that are disagreed among scholars, should he enforce on people what he considers to be correct, on a matter disputed by the scholars?

The scholars have been divided on this into two groups:

The first: permit him to do so.

588 Al-Māwardī, al-Aḥkām al-Sultāniyyah, p.241; Abū Ya'lā, al-Aḥkām al-Sultāniyyah, p.285.

The second: consider that he is not authorised to force people to adopt his opinion, and must allow people the freedom to make their own choice, and practice Ijtihād in their own right.⁵⁸⁹

This is closest to the ease and flexibility inherent in the religion, and comes from the well-known rule that states: No censure in disputed issues.

- **Disputed Criteria**

- 1- **Freedom:**

Fundamentally, commanding good and prohibiting evil is permissible for every Muslim to every Muslim, and some scholars hold that freedom is not a condition,⁵⁹⁰ while al-Māwardī⁵⁹¹ held that it is so. The heart leans more to al-Māwardī's position since people are inclined to accept from those they consider their betters, and it is not usual that the free accept advice from slaves.

Also, *Hisbah* is a position of authority and a slave cannot take up position over free people.

- 2- **Integrity:**

Two things are meant here:

- One: he is not impious.
- Two: he applies what he commands, and does not do what he prohibits.

The scholars have differed on this point, and some of them have stated the position that the impious person, or one whose actions contradict his words, is not permitted to

⁵⁸⁹ Al-Māwardī, al-Aḥkām al-Sultāniyyah, p.285.

⁵⁹⁰ Al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 7/196.

⁵⁹¹ Al-Māwardī, al-Aḥkām al-Sultāniyyah, p.241.

command or prohibit.⁵⁹²

- Their evidence was:

- From Qur'ān: { *do you order people to devoutness and forget yourselves, when you recite the Book? Will you not use your intellect?* }⁵⁹³. And { *You who have Imān! Why do you say what you do not do? --- it is deeply abhorrent to Allah that you should say what you do not do.* }⁵⁹⁴

Anas ibn Mālik said that: the Messenger of Allāh, peace be upon him, said:

"On the night of *Isrā'* (the night he journeyed to the heavens), I saw men whose lips were being cut by shears of fire, I said: who are they, Jibrīl?

He answered: those who deliver sermons of your nation, commanding people to devoutness and forgetting themselves, while they recite the Book, do they not use their intellect."⁵⁹⁵

Other scholars hold the opinion that integrity is not a condition in the person performing *Amr bi al-Ma'rūf wa Nahy 'an al-Munkar*, and that it is not necessary that he practice what he commands or desists from what he prohibits, although no doubt this is best. However, they do not consider it a condition whereby *Hisba* can only be done if fulfilled. Their evidence is:

First: the raft of Quranic verses and *Ḥadīths* which express the obligation of *Amr bi al-Ma'rūf wa Nahy 'an al-Munkar* without condition, and that it is a duty on the wider

⁵⁹² Al-Ghazālī, *Iḥyā' 'Ulūm al-Dīn*, 7/196.

⁵⁹³ Al-Baqarah 44.

⁵⁹⁴ Al-Ṣaff 2-3

⁵⁹⁵ Narrated by: ibn Ḥibbān in his *Ṣaḥīḥ*, from the *Ḥadīth* of Anas, chapter of those who give sermons in word you do not follow with action.

Ummah, which points to integrity not being a requirement.

Second: the unanimity of the *Ummah* on the obligatory nature of *Hisbah* on every Muslim according to ability.

Third: logic: this considers that the opinion that restricts the performance of *Hisbah* to a person of integrity, who practices what he preaches, and desists from what he prohibits, will lead to this practice being steadily eroded due to non-application, since no one is infallible, and does not commit error.

As for the evidence presented by the supporters of the first opinion, concerning the grave crime of one who commands people, and does not apply it to himself; this refers to one who does not command himself at all, which is different to one who commands himself and commands people, but like all other people has a moment of weakness, and may commit what he considers to be evil; that is human nature.

The punishment meted out to them according to the _Hadith of Anas mentioned earlier, refers to those who do what they prohibits people from, on purpose.

The stronger opinion is the second one, which does not consider personal integrity a condition for performing *Hisbah*, and Allāh knows best.⁵⁹⁶

3- Requiring the permission of the sultan or head of state:

The scholars have differed on this point, where some hold that permission must be secured first from the ruler, in allowing *Hisba* to be performed, and that it is not allowed without that permission.

However, the majority of scholars have held that it is not obligatory to have permission.

⁵⁹⁶ Ibrāhīm al-Shihāwī, *al-Ḥisbah fī al-Islām*, p.104; Dr. Ismā'īl al-Badawī, *al-Siyāsah al-Shar'īyyah*, p.295.

The first group have argued that allowing every person without distinction to perform Hisba can only lead to dispute and chaos.

The second group have argued that the generality of Quranic verses, and _Hadiths that command good and prohibit evil refer to every Muslim at any time carrying out this duty without the permission of anyone. It is true that potential for harms and benefits must be considered, however to require permission is not correct.

They argued on the basis that the custom of the pious generation of Companions in performing Hisba, demonstrated their unanimity in not requiring permission, or to be delegated that role. All that has been narrated about the pious generation indicates that the permission of the head of state or ruler is not a condition attached to the obligation of *Hisbah*. They also indicated that *Hisbah* is an immutable right of every individual; as in the example where Marwān ibn al-Hakam gave the sermon before the Eid prayer. A man said to him: the sermon is delivered after the prayer. Marwān replied: this has been left, so and so.

Abū Sa'īd al-Khudrī said: as for this man, he has fulfilled his duty, the Messenger of Allāh, peace be upon him said to us: "whoever witnesses a *Munkar* then let him change it with his hand, if he cannot then with his tongue, and if he cannot then in his heart, and that is the weakest ' *Imān* (faith.)"⁵⁹⁷

In this example, Abū Sa'īd endorsed the man's position, in performing *Hisbah* without the permission of the ruler or governor. Furthermore, he presented evidence as to the correctness of this action, in the generality of the command by the Prophet, peace be upon him, in changing evil or people's mistakes.

597 Narrated by: Muslim, Bāb Bayān Kawn al-Nahy 'an al-Munkar min al-Imān, wa an al-Imān Yazid wa Yanquṣ, wa an al-Amr bi al-Ma'rūf wa al-Nahy 'an al-Munkar Wajiban, 70.

There are many narrations from the pious generation that confirmed this, and it is understood from the general context that these involved the sultans as well, and so how could their permission be needed then?⁵⁹⁸

4.4.4.3. The etiquettes of the person appointed to perform Ḥisba

The scholars have set the following conditions that apply to the person appointed to perform *Ḥisbah*:

1- Knowledge:

What is meant here, is that the Muḥtasib has knowledge specific to the incident he is treating, whether by command or prohibition. It is unacceptable that he command or prohibit in a matter in which he has no knowledge of its limits, byways, or mitigating circumstances.⁵⁹⁹

2- *Wara'* (high level of piety in avoiding even the smallest of improprieties):

What is meant here, is that the actions the person appointed to perform Ḥisba are not contradictory, i.e. he command that which he himself respects, that he not have one posture in private, and another in public, which would open him to people's ridicule. This is also important so that his invitation to people to good is accepted, if his private behaviour was different to his public behaviour, then this would stir people against him, and lead them to disregard him, while censuring and admonishing him.⁶⁰⁰

3- Chastity/Modesty:

598 Al-Shihāwī, al-Ḥisbah fī al-Islām, p.4; al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 7/1203; Dr. Ismā'īl al-Badawī, al-Siyāsah al-Shar'īyyah, p.297.

599 al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 7/1203.

600 al-Ghazālī, Iḥyā' 'Ulūm al-Dīn, 7/1234.

He must also practice great probity in dealing with people's wealth, not accepting any gifts from them out of piety, since for a person of his authority, this is a bribe not a gift. This better preserves his honour, and people's respect for his authority.

4 -Good manners, and gentle disposition in giving *Nasīḥah*.

The *Muḥtasib* must adopt manners that include: being easy to get on with, gentle, a smiling face, and nice choice of expression.⁶⁰¹

He must also be gentle and tender in his giving *Nasīḥah*, command, and prohibition.

This is more beneficial, and would lead to the outcome he wishes for. Allah says:

*{it is a mercy from Allāh that you were gentle with them. If you had been rough or hard of heart, they would have scattered from around you...}*⁶⁰²

On the authority of ‘Ā’ishah, she said:

a group of Jews came to the Messenger of Allāh, peace be upon him, and said:

"*Sām*" (death) upon you [rather than "*Salām*" (peace)]. She said I understood

what they meant, and said to them: upon you "*Sām*" (death) and damnation.

The Messenger of Allāh, peace be upon him, said: "Restrain yourself.

‘Ā’ishah, Allāh loves gentleness in all matters".

She said: Messenger of Allāh, did you not hear what they said?

The messenger of Allāh, peace be upon him said: "I replied, and to you."⁶⁰³

601 Al-Shihāwī, al-Ḥisbah fī al-Islām, p.62.

602 Āl-’Imrān 159.

603 Narrated by: al-Bukhārī, Bāb al-Rifq fī al-Amr kullih. 2308: Muslim, Bāb al-Nahy ‘an Ibtidā’ Ahl al-Kitāb bi al-Salām wa kayf Yaruddu ‘Alayhim, 2165.

5- Applying the *Sunnah*, and the *Sharī'ah* commands

He must be regular in practising the *Sunnah* of the Prophet, peace be upon him. His appearance must be that of a man who is responsible for the limits of Allah not being transgressed, and so there must be no inkling of any neglect in practising the *Sunnah*, such that he is not one of those who command people to do good, while they neglect themselves.⁶⁰⁴

6- Patience

The person appointed to do *Ḥisba* must be patient in commanding good and prohibiting evil. It may be the case that the person he is commanding will not comply, and he must be patient with him until he does so. He must also be patient in terms of the harm that will come his way, as he performs his duty; some of those whom he is trying to advise may harm him. Allah has explained that harm is the lot of one who performs *Ḥisbah*, and so commanded patience in that respect:

*{ My son, establish Ṣalāh and command what is right and forbid what is wrong and be steadfast in the face of all that happens to you. That is certainly the most resolute course to follow. }*⁶⁰⁵

4.4.4.4. The authorities of the person appointed to perform *Ḥisbah*

It is well known that when the term "authorities" is used, it refers to specific and well defined matters, and are usually fixed despite changes in time and place, unless there are changes to the term itself, or the character of the authority, but this is rare.

However, in the case of the authorities of the *Muḥtasib*, these vary greatly, such that it

604 Al-Shihāwī, al-Ḥisbah fī al-Islām, p.67.

605 Luqmān: 17.

is difficult to claim that they can be quantified. This is because there is a general basis, which is to command all that is known to be good, and forbid all that is known to be evil. It is well known that the former encompasses all matter of good, while the latter encompasses all matter of evil. Both cannot be quantified, because they refer to religious, social, and customary commands and prohibitions.

4.4.4.5. Protocols of *Ihtisāb* (performing *Hisbah*)

These comprise three matters:

- Being informed of the issue.
- Personal observation.
- Knowledge.

This takes place in the following way:

If the issue at hand relates to private rights, which do not affect the majority of the *'Ummah* or population, then the *Muhtasib* must not intervene except by direct invitation of the injured party. After being informed, the *Muhtasib* must be satisfied that the evil exists, whether by personal observation, or confession of the perpetrator.

However, if the *Ihtisāb* related to one of the rights of Allah, or in the majority was so, then *Ihtisāb* would be based on personal observation and knowledge, whether by the *Muhtasib* or his helpers.

The three ways are the only ones by which the *Muhtasib* may work to fulfil his duty. This is because claims, and proving them is a matter for the courts, and the *Muhtasib* is prohibited from exercising a judicial role, and deciding on matters of rights, where there is need to hear testimony and review evidence.

A claim to the judge with the object of removing an evil, is termed "claim for Hisba", and is uniquely related to the rights of Allah. In this case, the claimant is claiming a right, and is a witness at the same time.⁶⁰⁶

4.4.5. On Those to Be Taken as Ministers:

With this title, al-Samhūdī began the last section in the third chapter. He started by stating that the ruler must seek and appoint ministers who are wise, and give good advice, and that he should consult them often, and hear their opinions. He then mentions some attributes that the Minister must have, among these: being just, knowledgeable, and a good policymaker. He must not be young, or inexperienced, and must not seek to amass wealth through his position, and that the minister must not be miserly in giving advice to the ruler.

When we research the meaning of the word "*Wazīr*" and "*Wazārah*" in the Arabic, we find that it may hold four meanings:

Derived from "*Wazr*" meaning weight or a burden. This is because he carries the burden for the ruler.

It is derived from "*al-Izr*" which refers to the back. This is because the ruler is strengthened by his minister, in the same way that his body acquires strength from its back.

A derivative of "*Wazar*" meaning refuge, as in the Qur'ānic verse. This is because the ruler refers back to him for his opinion and help.

"*Wazārah*" is derived from "*Mu'āzarah*", which means help.⁶⁰⁷

The Messenger, peace be upon him, used to consult his Companions, discuss and

⁶⁰⁶ Dr. Ismail al-Badawī, *al-Siyāsah al-Shar'iyyah*, p.303.

⁶⁰⁷ See: al-Māwardī, *Ādāb al-Wazīr*, p.9; ibn Khuldūn, *al-Muqaddimah*, p.270.

negotiate with them on matters both public and private. Specifically, he would task Abū Bakr with other special duties, such that the Persian Emperor, Khesru, Caesar, and the Abyssinian king, al-Najāshī, all referred to Abu Bakr as the Messenger's, peace be upon him, Minister. The term was as yet not in use among Muslims.⁶⁰⁸

Ministerial posts are categorised into executive and devolved. A devolved ministerial post is one where the ruler grants the Minister the authority to make and pursue policy in the way he sees fit. This meaning is articulated in the verse of Qur'ān: { *Assign me a minister from my family, my brother Hārūn. Strengthen my back by him and let him share in my task.* }⁶⁰⁹

If this is permissible in Prophet hood, then it is more so in the *Imāmah*. As for the executive ministerial post, it is lower in rank compared to the devolved, and has fewer conditions attached. It is principally there to execute those instructions that come from the ruler, and the Minister has no authority in deciding and giving his own instructions.⁶¹⁰

As for the attributes of the Minister, some scholars have mentioned many, while some were mentioned by *al-Samhūdī*.⁶¹¹

4.4.6. A Discussion and Appraisal of the Opinions of al-Samhūdī:

608 ibn Khuldūn, al-Muqaddimah, p.271.

609 TāHa 29.

610 For further detail, see: al-Māwardī, al-Aḥkām al-Sultāniyyah, pp.25, 29; al-Māwardī, Ādāb al-Wazīr, p.10;

al-Juwaynī, Ghiyāth al-'Umam, p.71.

611 For further detail, see: al-Juwaynī, al-Juwaynī, Ghiyāth al-'Umam, p.70 in the section entitled (Ṣifāt al-Wazīr): al-Māwardī, Ādāb al-Wazīr, pp.18, 31.

Reflecting on the statements of al-Samhūdī in the topic of *‘Ahl al-Dhimmaḥ*, and whether it was permissible for one of them to be given a post in the Islamic state, he did not clarify the types of positions, nor their importance, rather he spoke generally in the main. He mentioned in his discussion only two positions in the statement: “do we not fear, that the wrath and punishment of Allah would fall on us, by making His enemies our friends, employing them as scribes and governors in place of the believers”.

It seems that al-Samhūdī generalised the rulings, and used general terms without detail, in demanding that the ruler remove all *Dhimmi*s from their post, and replacing them with Muslims. He did not explain the type of authority or position, even though many scholars had furnished detail on the issue that contradicts his words.

Therefore, I consider it appropriate to expand in this area, and clarify the Islamic ruling regarding employing *‘Ahl al-Dhimmaḥ* in the positions of the Islamic state, shedding light on the areas of disagreement among scholars, mentioning their opinions, and whether they agreed or disagreed with al-Samhūdī’s perspective.

Islam established the relationship between Muslims and *‘Ahl al-Dhimmaḥ* on kindness, {*Allāh does not forbid you from being good to those who have not fought you in the religion, or driven you from your homes, that you be just to them. Allāh loves those who are just.*}⁶¹²

It gave them rights to take up certain positions, and guaranteed freedom to work and trade, however there were some sensitive positions of a religious or security nature in

612 Al-Mumtaḥanah: 8.

the Islamic state that were exclusive to Muslims only, like head of state, and other positions that will be mentioned.⁶¹³

The leadership of the state, regardless of title: *Khalīfah*, Emir, or sultan, are exclusively for Muslims, and this is an issue of unanimity among Muslims.

As for ministerial posts in the Islamic state, these are divided by type into devolved and executive. The devolved ministerial post is exclusive to Muslims because the minister takes the position of the ruler, in his absence. As for the executive ministerial post, al-Māwardī considers it permissible for a *Dhimmi* provided he satisfies the criteria of; propriety, trustworthiness, and competence.⁶¹⁴

This was rejected by al-Juwaynī, who did not allow the executive ministerial post to be taken by other than a Muslim, saying that al-Māwardī lacked proper information, and considered such a statement to be an error.⁶¹⁵

It seems that the evidence proffered by those who stated that a non-Muslim cannot take up any executive ministerial post was more credible, while al-Māwardī, for example, did not support his opinion with evidence other than to mention that this comes under the heading of the generosity of the religion of Islam.⁶¹⁶

As for the judiciary, it is agreed that it is not permissible for a *Dhimmi* to take up such a post to deal with Muslims, because he does not believe in, let alone comprehend and apply the rulings of the Islamic *Shari'ah*.

613 Al-Qaradāwī, *Ghayr al-Muslimīn fī al-Mujtama' al-Muslim*, p.22

614 al-Māwardī, *al-Aḥkām al-Sultāniyyah*, pp.25, 26.

615 Al-Juwaynī, *al-Ghiyāthī*, p.155.

616 Nimr Muḥammad, *'Ahl al-Dhimma wa al-Wilāyat al-'Āmma fī al-Fiqh al-'Islāmī*, p.200.

However, Ḥanafī scholars have stated that it is permissible for a *Dhimmi* to sit as judge between his co-religionists, and put forward as evidence for this, that competence in being judge follows naturally from competence in being witness. What is meant here, is that since the *Dhimmi* could give testimony against another Dhimmi in court, then he could also sit as a judge over them. They also pointed to the verse:

*{you who have 'Imān! Do not take the Jews and Christians as your friends: they are friends of one another. Any of you who takes them as friends is one of them. Allah does not guide wrongdoing people}*⁶¹⁷

and said: this confirms their competence to have authority over one another.⁶¹⁸

The majority of scholars have disagreed with this opinion, and said: the Dhimmi is not competent in testimony against another *Dhimmi*, because they do not allow that. Moreover, the judge has the authority in making rulings, while the *Dhimmi* is ignorant of these.⁶¹⁹

They said: the judge is the representative of the *'Imām* (ruler), and a non-Muslim is not suited for this position.⁶²⁰

It is clear that both groups hold a correct view supported by textual evidence. In the military field, it is not permissible that a non-Muslim commands the army, since he is beholden to apply the rulings of Jihad, and lead the camp in prayer. As for the remaining military ranks, there seems to be agreement that in those positions where commands are issued, then non-Muslims cannot be employed, as for the executive

617 Al-Mā'idah: 51.

618 Ibn 'Ābidīn al-Ḥanafī, Ḥāshiyat ibn 'Abidīn, 5/355.

619 Al-Shirbīnī, Mughnī al-Muḥtāj, 4/375; ibn Qudāmah, al-Mughnī, 12/53.

620 See: Nimr Muḥammad, 'Ahl al-Dhimma wa al-Wilāyat al-'Ammah fī al-Fiqh al-'Islāmī, p.253.

roles, as in soldiers, the scholars have disagreed amongst themselves. The Mālikīs have said: it is not permissible to use the *Dhimmi* as soldier in war and the army, citing:

{ The believers should not take non-believers as friends. Anyone who does that has nothing to do with Allāh at all --- unless it is because you are afraid of them. Allāh advises you to be afraid of Him. Allāh is the final destination }⁶²¹.

He also cited the *Hadīth* narrated by ‘Ā’ishah, wife of the Prophet, peace be upon him, where she said:

the Messenger of Allah, peace be upon him, left for Badr, and when he was in the area of Hirrat al-Wabarraḥ, a man—renowned for his bravery and morality—came to him. The Companions of the Messenger, peace be upon him, were overjoyed to see him. He came to the Messenger of Allāh, peace be upon him, and said: I came to follow you, and share with you. The Messenger of Allāh, peace be upon him, asked: do you believe in Allāh and His Messenger? He answered: no. The Messenger said: go back, I shall not accept help from a disbeliever.

She said: he continued until he came to al-Shajjārah, where a man caught up with him. The conversation was repeated as with the first, and the Prophet, peace be upon him, said as he did before: go back, I shall not accept help from a disbeliever. She said: the man caught up with him again in al-Bayda. The Messenger asked him: do you believe in Allāh and His Messenger? He

¶ ‘Āl-’Imrān: 28.

answered: yes. The Messenger of Allāh, peace be upon him said: [you may] proceed.⁶²²

Some scholars have allowed the employment of the *Dhimmi* in this context, and pointed to the action of the Prophet, peace be upon him, in accepting the help of some Jews, and giving them share in the booty. They also pointed to the action of the Messenger of Allāh, peace be upon him, in sending a non-Muslim to spy on the disbelievers in al-Hudaybiyah⁶²³, however they set conditions, in that:

1. He must be an obedient follower,
2. he must be trustworthy,
3. and there must be a genuine need that cannot be met by others.

Furthermore, they criticised the evidence proffered by the Mālikī scholars and said that it had been abrogated, and that the Prophet, peace be upon him, did not trust the man, not because he was a non-Muslim. It seems that this opinion is much clearer, and more fitting to reality, especially if the conditions mentioned are met.

The positions mentioned before: *Khilāfah*, ministerial and related posts, have religious and security sensitivities attached, and therefore attracted the disagreement mentioned before.

As for the variety of other positions in the Islamic state, some carry the importance of sensitive posts, and so the same ruling applies. Others are simply public service office, where scholars have allowed *'Ahl al-Dhimmah* to take up. The Islamic history is witness to the freedom granted *'Ahl al-Dhimmah* in taking positions in the Islamic state. Adam Metz states:

622 Narrated by: Muslim in his *Saḥīḥ*, Bāb Ghazawāt Dhāt al-Riqā', 3882.

623 Nimr Muḥammad, *'Ahl al-Dhimmah wa al-Wilāyat al-'Āmmah fī al-Fiqh al-'Islāmī*, p.147.

"Islamic legislation did not close in the face of *'Ahl al-Dhimmah* any opportunity to work. They were well-established in the professions, which brought huge profits. They were money changers, traders, and doctors. Moreover, *'Ahl al-Dhimmah* organised themselves to such an extent that the majority of expert money changers in Shām, for example, were Jews, while the majority of doctors and scribes were Christians; the leader of the Christians in Baghdad was the *Khalifah's* personal doctor."⁶²⁴

This testimony given by Metz is a description of the reality of the Islamic legislation, and its magnanimous nature, where it did not prevent *'Ahl al-Dhimmah* taking public roles, occupations, and trades. This is confirmed by al-Mawdūdī in his book: *Huqūq Ahl al-Dhimmah fī al-Dawlah al-'Islāmiyyah*, where he says: and they—

'Ahl al-Dhimmah—had the right to enter into all government jobs except certain main positions, and were not treated in any sectarian way, whereby qualification and competence were the standard against which both Muslim and non-Muslim were measured. Those who were qualified and competent were granted the position irrespective of background. What is meant by main positions are those that are of vital and fundamental importance to the Islamic system, relating to setting out scientific plans, directing the various arms of government, and such positions in every regime are not given except to those who believe in its principles. As for administering the affairs of the state, then there is no prohibition on their take up of the posts of Auditor-General, Postmaster General, etc. as well as military positions unrelated to war and combat in a direct way; these are open to *Dhimmi's*. As for the professional

624 Adam Metz, *the Islamic Civilisation in the 4th Hijri Century*, 1/86.

trades, trading, farming, these are completely open to *Dhimmīs*, and Muslims will not have preferential treatment compared to others.⁶²⁵

As for those who prohibited the employment of '*Ahl al-Dhimmah*', they shared the same evidence as al-Samhūdī:

- From the Qur'ān:

*{ Allah will not grant the disbelievers upper hand over the believers. }*⁶²⁶

Also:

*{ The believers should not take non-believers as friends. Anyone who does that has nothing to do with Allah at all --- unless it is because you are afraid of them. Allah advises you to be afraid of Him. Allah is the final destination. }*⁶²⁷

And:

*{ You who have 'Imān! Do not take any outside yourselves as intimates. They will do anything to harm you. They love what causes you distress. Hatred has appeared out of their mouths, but what their breasts hide is far worse. We have made the Signs clear to you if you use your intellect }*⁶²⁸.

625 al-Mawdūdī, *Huqūq Ahl al-Dhimmah fī al-Dawlah al-Islāmiyyah*, p.35.

626 Al-Nisā': 144.

627 Āl-'Imrān: 28.

628 Al-'Imrān: 118.

They also put as evidence the position of ‘Umar when he condemned the action of abū Mūsā al-Ash’arī in employing a Christian scribe.⁶²⁹

Among the logical proofs used, was the prohibition on marriage of a *Dhimmi* man to a Muslim woman. This indicates that they are not allowed to take authority in the affairs of the Muslims, due to the fact that they are not allowed to do so in the affairs of a Muslim woman, which is a private matter.⁶³⁰

As for the scholars who considered it permissible, they have used the same evidence relating to the military aspect in war, and moreover, added other evidence, among which, where the Messenger of Allāh, peace be upon him, employed ‘Abd Allāh ibn ‘Urayqit, who was a non-Muslim, in the *Hijra* (Migration to Medina). Highlighting that this employment was in a highly sensitive matter relating to the religion, the State, and the very life of the Messenger, peace be upon him. They also put forward this statement by the Messenger, peace be upon him: "the Romans will make a treaty with you, which will hold, then you and they will fight an enemy; you shall be supported, safe, and win booty..."; this shows that the Muslims will participate with the Christian Romans in fighting a common enemy.⁶³¹

As for the verses of the Qur’ān mentioned by those prohibiting, and which forbid taking the non-Muslims as allies, and that these prove that they are not to be employed; in them there is no indication to that effect. The verses did not mean non-employment, rather non-support. Therefore, al-Ṭabarī in his book of Exegesis regarding taking non-Muslims as allies and friends states: "This means that, you, the

629 Ibn al-Qayyim, *Aḥkām Ahl al-Dhimma*, 1/211.

630 Al-Ṭabarī, *Jāmi’ al-Bayān*, 4/62.

631 Nimr Muḥammad, *‘Ahl al-Dhimma wa al-Wilāyat al-‘Āmma fi al-Fiqh al-Islāmī*, p.151.

Muslims must not take the non-Muslims as support or allies in your religion, to confront other Muslims, and pointing out to them the Achilles heel of Muslims.”⁶³²

As for the evidence relating to the provision of marriage between a Muslim woman and a *Dhimmi*, this is refuted by those who permit employment of *Dhimmi*s, that there are many State positions that offer no authority over Muslims.

In reality, the disagreement on this issue is complex and intertwined, in regard to the evidence and statements by other scholars. The intention was to clarify some areas of the issue rather than delve into it comprehensively. In conclusion, the issue is not as clear cut, as presented by al-Samhūdī.

632 Al-Ṭabarī, Tafsīr al-Ṭabarī, 7/138.

Conclusion:

This study aimed to authenticate one of the manuscripts of the ninth Hijri century manuscripts that is attributed to Nūr-al-Dīn al-Samhūdī that is entitled *Al-Lu'lu' al-Manthūr fī Nasīḥat Wulāt al-U'mūr*. This manuscript undergone a critical and analytical study. I referenced the Qur'anic verses and the prophetic Ḥadīths and biographies of those notable persons mentioned in the manuscript. I tried to give a Picture of the author's life and the age in which he lived with a study of his style and methodology, comparing the sources upon which he depended in his manuscript. I also studied the important opinions of the author that were mentioned in his manuscript and I mentioned the opinions different from his. I studied the three components upon which the science of kings and rulers preach is based; these are (advice, rulers and scholars). Through this study I get out with the following conclusion.

Al-Samhūdī was able to firmly establish one of the most important schools of ethical and social Tarbiyah (education, upbringing). This involves mixing dry scientific concepts with religious Shari'ah concepts, in a format that religious scholars have agreed the terms: Raqā'iq (reminders that soften the heart) and Wa'z (admonition), to describe. He did not make the book solely scientific, nor solely admonitory; rather he

merged both in a wonderful mix, but with admonition having the upper hand.

The book is evidence of the state of the Islamic environment and society, in terms of freedom to criticise, clarifying mistakes, and working to remedy them, even if these mistakes were those made by the head of state or minister, without fear of oppression or repression.

The book revealed how scholars were knowledgeable of the circumstances of their time, the course of events, and policies in their lands. Moreover, that in Islam there is no hermitage, nor separation between religion and worldly life, rather religion and life together formed a harmonious synthesis on which the rhythm of worldly life ran to the good of human beings and all mankind. The distinguished scholar is one who possesses an encompassing knowledge of the Sharī'ah regarding Ḥalāl (the lawful) and Ḥarām (the prohibited), without missing the opportunity to know the state of the environment and land in which he lived. Wherever there are successes, the scholar will strive and exert effort to consolidate them, and wherever there are negatives he will strive and exert effort to remove them.

The book gives us an impression of the simple social life represented by people's livelihoods, their food and drink in one of the times during the

Mamlūk era in Egypt and Shām (the area of present-day Lebanon, Syria, and Palestine).

The book gives us a reasonable idea of the course of events in the Islamic State at the time, and what he warned about at that time were those things that he wished to change in the head of state or ruler. Issues that were among the critical factors that led to the decline of that State, and led to its end. It allows us to benefit from that lesson on the level of States and individuals in our contemporary times, and looking into the future.

Al-Samhūdī enriched the body of knowledge in some issues of Sharī'ah, like: Ahl al-Dhimmah, the Muhtasib, and ministers.

In reality, the book has a clearly undeniable importance, which led us to seek to bring it out to the world, so that people—rulers and those they rule—benefit from it.

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Critical Edition

رقم الإستدعاء ٦٢٧ النوع: ميكرو فيلم رقم الرسالة: .

الموضوع السياسة

العنوان اللؤلؤ المنثور في نصيحة ولاة الأمور

المؤلف السهمو دي؛ نور الدين، أبو الحسن، علي بن عبدالله بن أحمد الحسن، الشافعي، (- ٩١١ هـ)

البداية الحمد لله الذي فتح بمفاتيح الغيوب أقفال القلوب ... فهذا كتاب لطيف نفيس جمعته من الجامع الصغير ... وبداية النهاية للـ والتبر المسبوك في نصيحة الملوك ومفيد النعيم للسبكي وكتاب فاكهة الخلفاء لابن عرب شاه وقمع النفوس للإمام الحصني النهائية ... ولا يناله شيء من المكروح مطلقا بعون الله تعالى وهذا ما انتهى إلينا من كتاب اللؤلؤ المنثور في نصيحة ولاة الأمور.

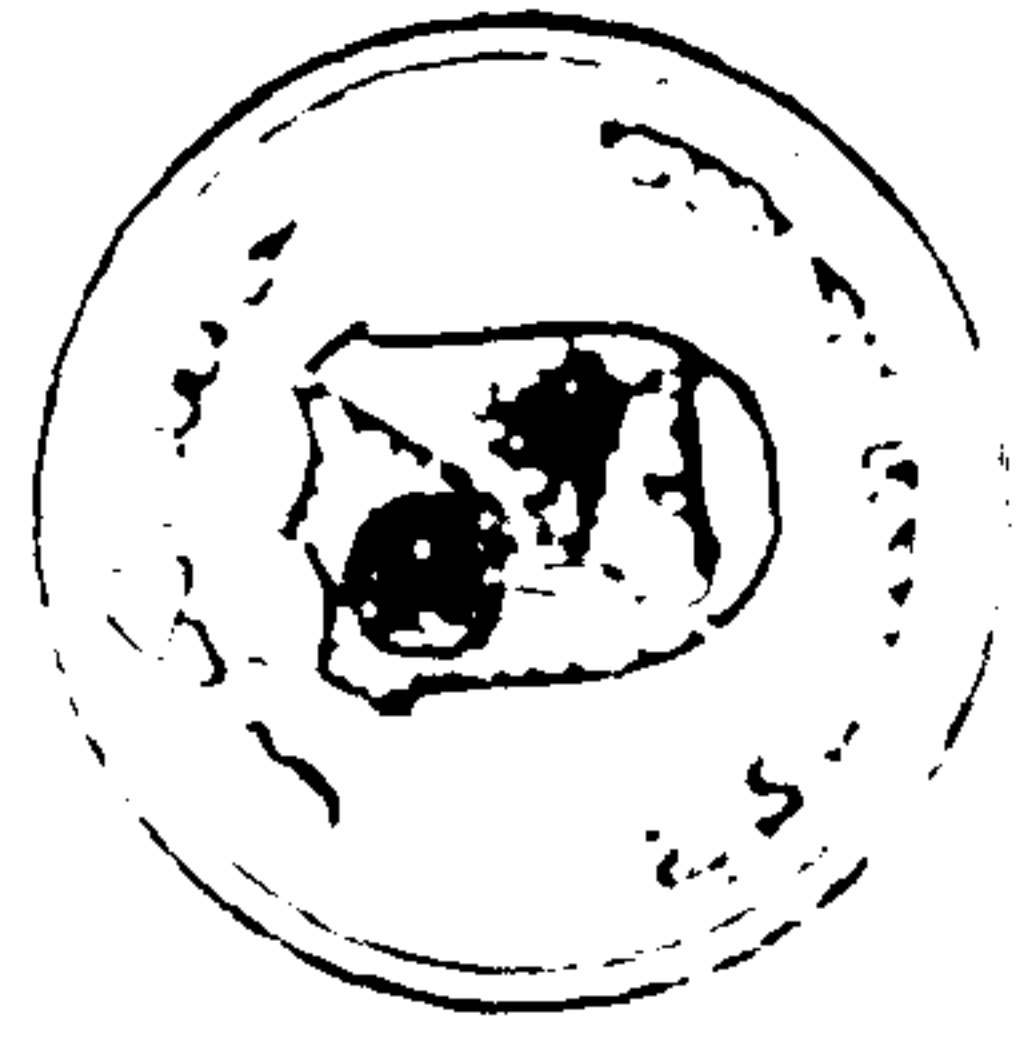
التاريخ ١٢٧٤ هـ. الناسخ على بن محمد المنوفي الشافعي

الخط نسخ الأوراق ٤٢ اللغة عربي الأسطر ١٩ تاريخ التأليف المقاس

ملاحظات نسخة واضحة. عناوين التلموضوعات بخط أكبر.

المصدر مصر : دار الكتب المصرية - تيمور ، اجتماع ٣٤

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كتاب اللولو المنثور في نصائح ولائ الأمه

في بيان ملك
عظيم بعلو

جمه لبح
دليل لبح

أرسل
درايكي

مكرر للم	عنوان المصنف : اللؤلؤ المنثور في نصائح ولائ للأمه
اسم المؤلف :	البحر
مصدر عن النسخة	المخطوطة
تحت رقم	٣٤
	المخطوطة بدار الكتب القومية
	أحمد بن محمد

وعملهم اجاب في الكتاب المبين . وذكر فان الذكر
تنفع المومنين . ورتبته على اربعة ابواب راجع
من الله تعالى الهداية الى طريق الثواب . انه بالاجابة
جديده وعباده لطيف خبير الباب
الاول في فضل العقل وتقريره
وما ورد في ذلك من الاحاديث والاضار بخود ذلك
الحاديث في بيان ملجيب على ولاية الامور
وما ينبغي المتخوذة منه وما ورد في ذلك من الاحاديث
الباب الثالث في ما وقع للملوك السامع
واخبارهم ونصائحهم وما ينبغي للولاة ان يعاينوه
الباب الرابع في فوائدها ومنافعها
ولما الامور فافقوا راجع من الله الاخلاق والسياسة
الماد الاول في فضل العقل وتقريره
اعلم اننا نريد اننا العقل الا ان الله تعالى خاضع به
اولوا الالباب اي ذوا العقول فقال تعالى ان في ذلك
ايات لمؤمن يعقلون وقال تعالى انما نذكر احوالنا
الالباب وقال تعالى وتلك الامثال نضربها للناس
لعلمهم يتفكرون وروي ان الله تعالى لما خلق العقل
اوقفه بين يديه في احسن صورته فقال له اقبل فانظر

بسم الله الرحمن الرحيم بافتاح يا علم
الحمد لله الذي منع بجمع الغيوب اقبال الغيوب
ورفع حجب السرايزه واثار بنوره البصاير ونظره مكان
محبوبه وجلع ايسر الوجوه . في مزاة الشهود
ورفق من شاد من عباده ففاض من بين المراد بها
سبق له في المكتوب . واستهين في الاله الا الله
سهادة ادس . ورويه واستهين في سيد
ومو لانا الحمد . وسلمه وعلى اله
واصحب به صلاة دايمة الى يوم وعدك غير مكذوب
وبعد فخذ الكتاب لطيف نفيس جمعة من
الجمع الصغير في حديث السيرة الذرية للحلال
السيوطي وبداية النهاية للغزالي والتمت
في نصيحة الملوك . مفيد النعم للسبكي وكتاب
فأله الخلفا لابن عرب ساه وضع النفوس للامام
الحصني وكتاب الطرسوي وتغذيب الرياسية
في الحكمة والسياسة لابي الحسن الاهوازي وغيرها
مما طالعته من المجاميع بمصر ولين وسميت
القول المنتور في نصيحة ولاة الامور وجعلته
ستملا على نصائح واداب تذكيرة لاولي الالباب



فوالله تعالى واتل عليهم نبأ ابني ادم بالحق اذ قربا
 قربانا فتقبل من احدهما ولم يقبل من الاخر قال
 لا تقلناك قال انما يتقبل الله من المتقين قال
 اما واحد البوني اذ اراد احد من ولادة الامور
 ان يقاتل قوموا وان وقت وحوله في الحرب وفصد
 الظفر عليهم بمعونة الله تعالى فليقتلوا وليصل
 ركعتين ثم يلبس ثيابا من الارض سبع عصىا بعد
 الحصى كل حصاة بلسانها حرف من حرف فمخ
 ثم بضعها في راحة كفة في يد اليسرى ويأخذ منها
 حصاة واحدة بيد اليمنى فيتلوا عليها الآية الاولى
 عشر مرات ثم يرفع يدها الحصاة التي في راحة يدها
 فيقول صم بكم عني فثم لا ويجد فيها امامه ثم يحد
 بيد اليمنى حصاة اخرى فيتلوا عليها الآية الثانية
 عشر مرات ثم يرفع يده ويقول الحسب انما خلقتكم
 عبدا وانكم اليها لائتم يحد منها خلعتها ثم يأخذ من كفة
 اليسرى حصاة ثالثة بيد اليمنى فيتلوا عليها الآية
 الثالثة عشر اثم يرفع يده ويقول وجعلنا من بين
 ايديهم سدا ومن خلفهم سدا فاغشىناهم فلم يروا ولا يحد
 الحصاة من يمينه ثم يأخذ بيمينه من يساره حصاة

رابعة

رابعة فيتلوا عليها الآية الرابعة عشر مرات ثم يقول
 يا معشر الجن والانس ان استطعتم ان تستدوا من
 افطار السموات والارض فانفذوا لا وعد فيها عن
 يسار ويتلوا في يسار ثلاث حصيات بصفهم في
 راسه ويدخل المعركة فلا يخرج ولا يناله شيء من الكفر
 مطلعا بمعون الله تعالى وهذا اما انتهى البيان من
 كتاب الدنيا المنثور في نصيحة ولادة الامور

على النجاة والكمال على يد كاتبه الفقير

محمد المنور في المسافر غفر له

ولي الدين وموطا في قريش

الاسم المنار حقا

سهر حقا

والله

رقم الرسالة: النوع: ميكرو فيلم رقم الإستدعاء: ٦٢٠٤

الموضوع السياسة

العنوان اللؤلؤ المنثور في نصيحة ولالة الأمور

المؤلف السموه دي؛ نور الدين أبو الحسن، علي بن عبدالله بن أحمد الحسن، الشافعي، (- ٩١١ هـ)

البداية

النهاية

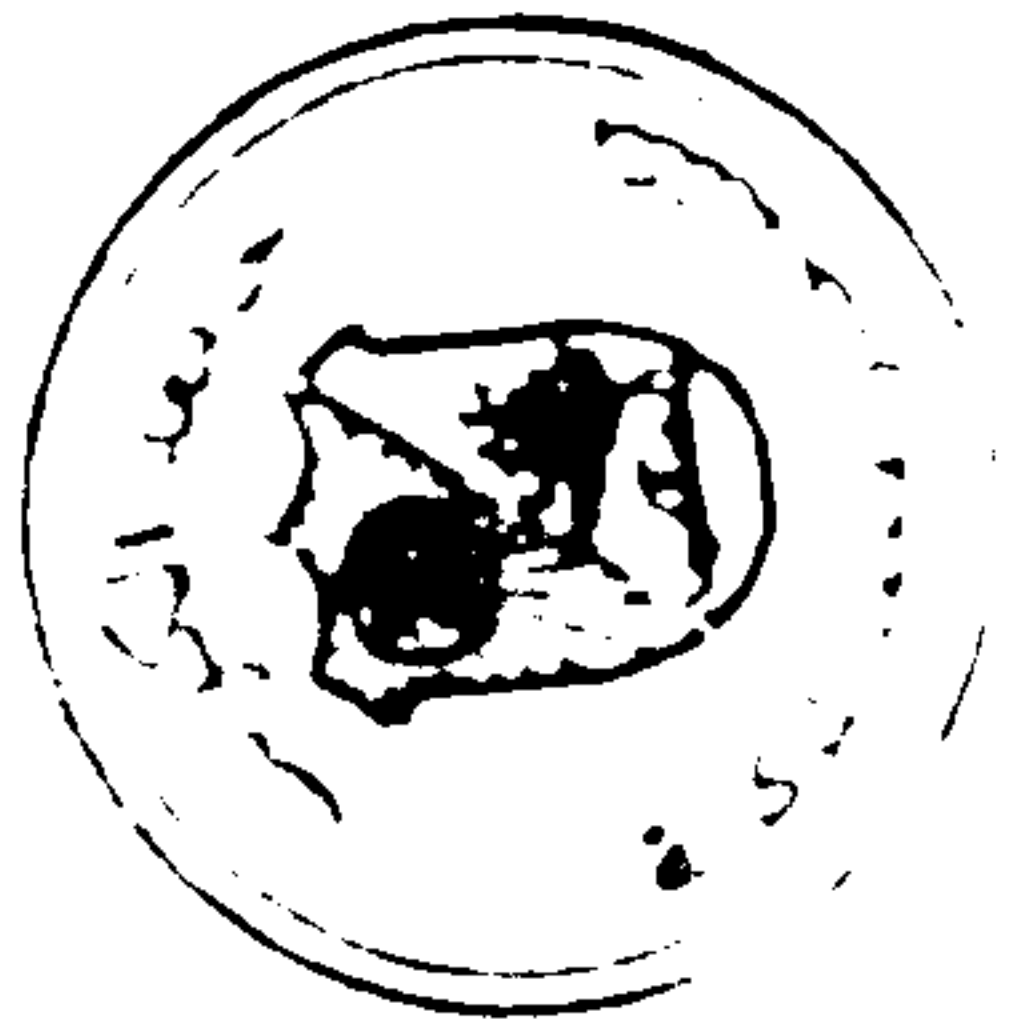
التاريخ النسخ

المقاس الأسطر ٠ تاريخ التأليف اللغة نسخ معتاد الأوراق

ملاحظات

المصدر اليمن - صنعاء - دار المخطوطات

مراجع إيضاح المكنون : ٢ / ٤١٧ // الأعلام للزركلي : ٤ / ٣٠٧



آدم تاينى سىكه ۱۴۹ رهنه خدایى

سیدعلی
سیدعلی آخره

سیدعلی

سیدعلی

سیدعلی

کتاب

القولور المنثور فی الجیوه و لایة
النور

ویرا کافا حق و لایة
عمر الله و احوه صید و لایة

الحکیم و لایة
عمر الله و احوه صید و لایة

اسم الی ملک العصر الی ریس
عمده من جوهر حرا ایدر اربع سده
۱۱۳۹

کتاب

سیدعلی
سیدعلی
سیدعلی

سیدعلی
سیدعلی
سیدعلی

و قال کاتبه علی سیدعلی
حدیث عن عذری و بامن لا یقر ملک و یا الاله اسماء فلی یخضع لک
واحد الی حال هدیة لک اسم الفیقر الذی یوعد و یبدا

و قال
حدیث عن عذری و بامن لا یقر ملک
و یا الاله اسماء فلی یخضع لک
واحد الی حال هدیة لک اسم الفیقر الذی یوعد و یبدا

ما جاء في الكتاب المبين وذكر فان الذكرى تنفع المؤمنين
على اربعة ابواب راجيا من الله الكريم الوهاب الهداية الى طريق
الصواب وان يوفقني من عمل به الى الهداية هدي يحميه عزاء
من تغذ الحسب بين يدي رب رب الارباب انه بالاجابة
حدير وعبادة لطيف مجير
في فضل العقل وتعريفه وما خفي عنه ذوي العقول
وما ورد في ذلك من الاخبار والاخبار والآثار وتوذك
مما يأتي بيانه فيه ان شاء الله تعالى
في بيان ما يجب ويعين على ولاه الامور من العمل به وما
التحرز منه وما ورد من الاحاديث الشريفة في حق ولاه الامور
في اخبار واثار ونصائح وزياد
وما وقع للذكور السابقين من الاحكام وما ينبغي لولاة الامور
ان يعمل به اقتداء بهم في قوايد ومنافع
وخواص صحت بالتجربة جمعها من حولف الامام الخليل العباسي
البوني وغيره يحتاج اليها واشد الناس حنبا جالولا
الامور فاقول راجيا من الله القبول والاخلاص
في فضل العقل وتعريفه وما خفي عنه ذوي
العقول وما ورد في ذلك على ما يأتي بيانه ان شاء الله تعالى
ان لم ينه ان العقل الا ان الله تعالى خاطب به

بالحق

سورة
شعر

بسم الله الرحمن الرحيم وبه نتقي
الحمد لله الذي فتح لنا قلوبنا فقال القلوب وورع حجب
السرير وانار بنوره البصائر فظهر ما كان مخبورا وجلا
عرايس الوجود في مراة الشهور غمرهم المقصور بطلع المظلم
ووفق من شانه من عبادة فجاهد في الله حق جهادة ففاز
من نيل المراد مما سبق له في المكتوب محمد من اليبوب
واشهد ان لا اله الا الله وحده لا شريك له شهدا اذ خولا
لتفريع الكروب واشهد ان سيدنا محمد عبده ورسوله الذي
اختاره من الانا محبوا ففتح المحبوب صلى الله عليه وعلى
اله واصحابه وصلاة وسلاما دائما يبين الى يوم وعد غير ملذو
فهذا مجموع لطيف جمعه من كنت مستغفرا له وفي
الجامع الصغير في حديث البشير النذير للحال السيوطي ونزاه
النهاية للغزالي والسير الجسبول في نصيحة ملول وكتاب
مفيد النعم للامام السبكي وكتاب فاكهة الخلفاء وفتاوى
الطريق لابن عرب شاه وفتح النفوس للامام الحفصي وكتاب
الطوسي وتدريب الرباسة في الحكم والسياسة لابي
الاهواز ي وغيرهما طاعة من الجامع بنصر واليمن
اللولو المنشور في بصحة ولاه الامور وجعلته
مشتملا على نصائح واداب تذكرة لاولي الابواب عملا

فلا

العقوب

على اعتك وانتهكت حرمة من حرم المسلمين وحدثت
على حدود الدين وبينى وبينى على كل وال ان
يعفى بصد عن شهوته ويزجر نفسه عن شهواته
فمن كنت الله يقول

وليت ويكلم امرأ لست تدري كنه فاستغفر من غلام وزان
فقد اتانا الفنى المسكين متجهاً يشكو اليائس ثم اخزان
اعطى لى بيننا لا اكفرنا حقاً وبرا من دينى وابيان
اذا انت خالفتي فماتت لا اجعلك لحا بين عقبا بين
طوق سحاحا وجهها مظهر مع الميت ومع لفرى ديان
ثم طوى الكتاب وطبع غايته وناول للميت وصرى ديان
وقال لهما اذ هما الى هذا الخيف فان هو احاب وانا بال
فلا ضرر باعققة فخر جارى عندي من المؤمنين معاوية الى ان
دخل على مروان فلما ابصرهما تعبر لونه فناداه الكتاب وكل
منها فقل بسيفه فلما قرأ الكتاب لم يسعه الا ان احفر الجارية
على الفور واما نفا من عنده وارسالها الى معاوية صيحة القاضى
المدكورى ثم دعا به وادع وفرط كس فذكرت الى امير المؤمنين
ولا يجهل بالموستين فمضى اوفى بندركى رفوق واحسان
وما اينتحر اسما جيل عيسى فلفظ ادعى باسم الحامى الزان
اعذر فانك لو ابصرته لمرت سلك لا ما بقي على ثقل الانسان
وهو

وسوف تاينك سمى لى بجد لها عند الخليفة من اسى ولا جان
ثم طوى الكتاب وناول اليها مع الجارية دفعا الى ان دخل على معاوية
بالجارية فدناها الكتاب فلما قرأه قال لقد احسنت في الطاهر
للجنة احسنت في وصف الجارية فامر باحضارها فقرأى صبوراً ثم
ير مثلها جملها وكالا فخطا عليها فوجد ما من افصح النساء فقال
على بلا عرواى فاحضر وهو على غاية من سوء الحال فقال يا
اعرواى هذه سعدى قال بلى يا امير المؤمنين جبرائيل بك
صدع الدين والهربك شعث المسلمين فقال له امير المؤمنين
يا اعرواى لعل للذى سعدى من رغبة وانا اعوضك عنى ثلاث
جواريات اربك اربك كله واحدة صنتى الف درهم واقسم لك
بى بيب المال ما يفيك وبينى على صحتك على ما سمع فلا
معاوية صرح فخره فطن الحاضرون انه قد خرج ورحل فقال
معاوية ما لى اعرواى اسر بال واسوء حال قلت قد
استجرت بعد لك من جوارى الخلفى قال بلى اسجى من جوارى
فقال معاوية يا اعرواى انت معربا لك طلعتك واما ما
سرواى فقد اباليها ونحن الآن نخبر بها فان اختارت
سواك ورجعنا به فخرنا لى امير المؤمنين ما نقول
يا سعدى ايا احب اليك امير المؤمنين وعونك وطلعتك
وما نصير اليه عنده ثم اعاد ايها سا قال اولاً

قال

هذا هو الكتاب الذى
كان فى يد امير المؤمنين
عندما كان فى مكة
وقد كان قد قرأه
وقد كان قد
قد كان قد
قد كان قد

رقم الرسالة: النوع: ميكرو فيلم رقم الإستدعاء ٥٠٢٧

الموضوع السياسة

العنوان اللؤلؤ المنثور في نصيحة ولالة الامور

المؤلف السمهودي؛ نور الدين، أبو الحسن، علي بن عبدالله بن أحمد الحسن، الشافعي، (- ٩١١ هـ)

البداية

النهاية

الناسخ ابو الخير أحمد بن محمد

التاريخ ١١٥٦ هـ.

المقاس

تاريخ التأليف

الأسطر ٠

اللغة

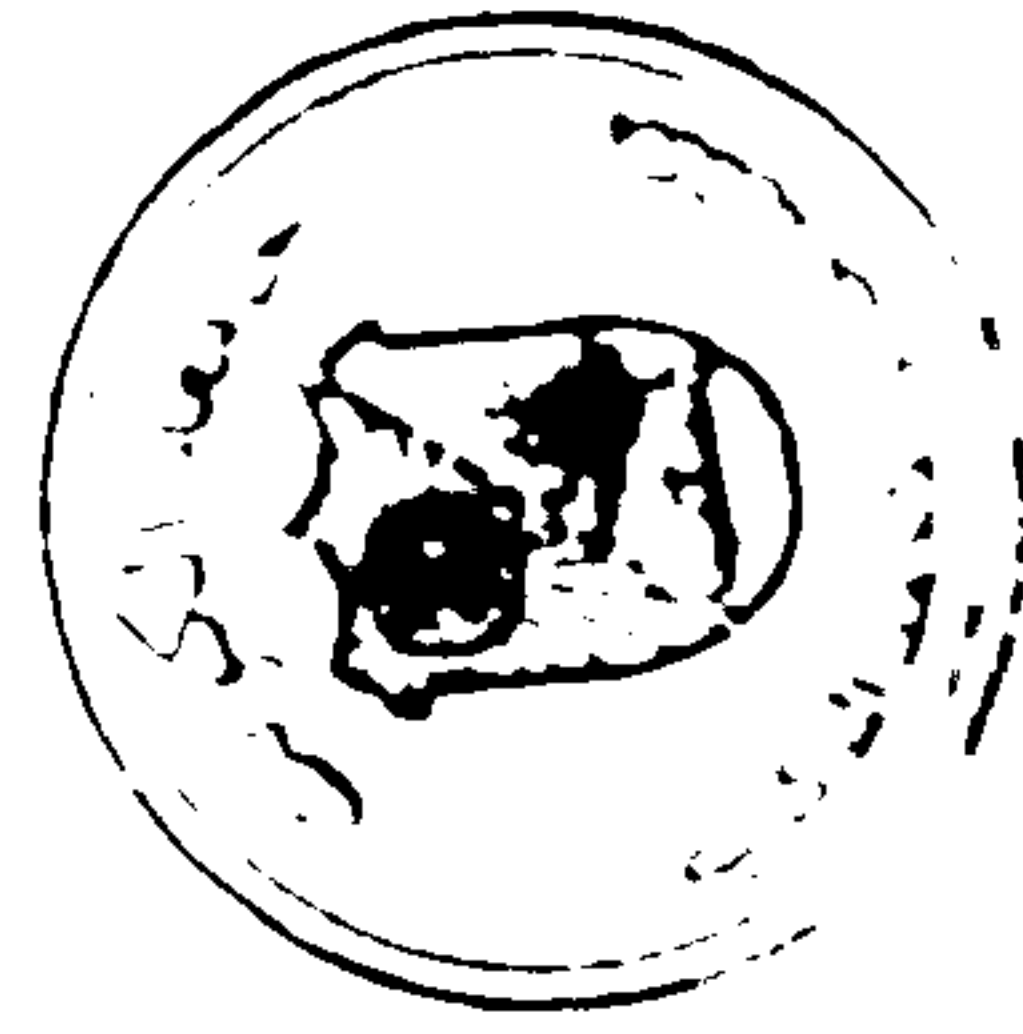
٦٨

نسخ معتاد واضع الأوراق

ملاحظات

المصدر شستر بيتي

مراجع إيضاح المكنون : ٢ / ٤١٧ // الأعلام للزركلي : ٤ / ٣٠٧



سنة ١١٥٠

هذا كتاب الله عز وجل

في فضيلة ولاية الأمور
على التمام والكمال
والأمان لله
على كل حال
أمين

ومسلى الله على سيدنا محمد وعلى آله وصحبه وسلم تسليما كثيرا آمين

الحمد لله الذي فتح عنقايتي الغيوب • افتقال القلوب
ورفع حجبا التراب وانا ربور البطائر • فظهر من
كان محجوب • وجلى غرايس الوجود • في مرآة الشهود
فنن فتم المقصود • بلغ المطلوب • ووقو من شئنا
من عباده • غاهد في الله حق جهاده • ففاز من نيل
مراده • ما سبق له في مكتوب احمدك حمد من اليه يؤوب
ومن فيه يتوب • ومن آوى اليه بلغ المقصود واشهد
ان لا اله الا الله وحده لا شريك له • شهادة اخرها
لتقبيح الكروب واشهد ان سيدنا محمدا عبده ورسوله
الذي اختار من الانام محبوبا فتقم المحبوب • صلى الله
عليه وعلى اله واصحابه • صلاة و سلاما دائمين تلاقين

و د و د

الى وعد غير مكذوب ويعكس هذا مجموع لطيف جمعه
من كتب متعددة وهي الجامع الصغير في حديث البشير
النذير للجلال السيوطي • وبداية الهداية للفناني
التميم المسؤول في نصيحة الملوك له ايضا وكتاب
مفيد النعم للامام السبكي وكتاب فاكهة الخلفاء ومفاتيح
الظفر لابن عرب شاه • وفتح النقوس للامام الحصني
وكتاب التياية في تدبير المملكة • وحفظ الرياسة
للطرسوسي • وتهذيب الرياسة • في الحكم والرياسة
لابن الحسن الاخواني • وغيرهما مما طالعته من
الطامع نمصر وارضى اليمن وتميت اللؤلؤ المنثور
في نصيحة ولاية الامور • وجعلته مشتملا على نضايح
واداب • تذكرة لاولي الالباب • عملا بما جاء به
الكتاب المبين • وذكريات الذكري تنفع المؤمنين
ورتبته على ربيعة ابواب راجيا من الله الكريم الوفا
الهداية الى طرق الصواب • وان يوفق من عمل به
الى هدى ينجيه عذاب النار • وسوا الخبايا بين
بديرت الارباب • انه بالاحاطة جدير • وبعباده

لم ينفخ فيها الباري الاول في فضل العقل وتقرئ فيه
 وما حقيق الله تعالى به ذوقا العقول • وما ورنه في ذلك
 من الاخبار والاخبار والاثار ونحو ذلك مما ياتي في بيان
 الباب الثاني في بيان ما يجب ويتعين على ولاية الامور
 العقلية وما ينبغي التزمه • وما ورد من الاخبار
 الشريفة • في حق ولاية الامور بالباب الثالث
 في اخبار واثار ونصائح ورغائب وما وقع للملوك
 السابقين من الاحكام وما ينبغي لولاية الامور العقل
 به اقتداء بهم • الباب الرابع في فوائد ومسالك
 وخواص صحت التجربة جمعها من موافقات الالهام
 الجليل ابي القاسم احمد البيهقي وغيره مما يحتاج اليها
 واشتد الناس اليها احتياجا ولا الامور فاقول راجيا
 من الله تعالى لاختلاص القبول الباب الاول
 في فضل العقل وتقرئ فيه • وما حقيق الله به ذوقا العقول
 وما ورد في ذلك على ما ياتي في بيان اعلم انما تبدأ الا
 بالعقل لا والله تعالى ما خاطب • الا اولوا الالباب
 اى ذوق العقول • فقال في كتابه الملكون •

ان

ان في ذلك لايات ليعلم يعقلون • وقال في محكم
 الكتاب • انما يتذكر اولوا الالباب • وقال
 تعالى وتلك الامثال نضربها للناس وما يعصمنا الا
 العالمون • صدق الله العظيم روي ان الله تعالى
 لما خلق العقل اوقفه بين يديه في احسن صورة فقال
 له اقبل فاقتل بقية قال له ادبر فادبر فقال وعزني وخلا
 لا جعلتك في خيار خلق ما خلقت خلقا اعز علي منك
 بك خاص وبك اعاقب وبك اخذ وبك اعطى والدليل
 على ذلك ان الله تعالى جعل نظام العالم منوطا
 بشئنين الامر والنتى وكلاهما موقوف على العقل
 وتقرئ العقل هو قوة عزيزية يسكنها الحق سبحانه
 وتعالى في خواص من خلقه تؤدى على اذراك المعقولات
 ومحلها الراس وله نور متصل بالقلب وعند بعضهم
 ان محلها القلب وله نور متصل بالراس وهو ينقسم
 الى قسمين قسم لا يقبل الزيادة والتقصان • وقسم
 يقبلها انما الذى لا يقبل الزيادة والتقصان فهو
 العقل الغريزي • الذى يحرم به القلم على صاحبه

على معنى

روي في
 العقل
 العالم
 العقل

تم ذلك بحمد الله وعونه وحسن توفيقه وهذا يسته
ولا حول ولا قوة الا بالله العلي العظيم

وصلى الله على سيدنا محمد وعلى اله وصحبه

وتم على يد العبد الفقير الى

مولاة القدير احمد بن الشيخ محمد

الشيخ المرحوم غفر الله له

وله والديه ولمن غدا

بالمعقود والرحمة

والمسلمين

النجدين

الذين

٥٦ النسخ

فيلو عليها الآية الرابعة عشر مرات ثم يقول
يا معشر الجن والانس ان استطعتم ان تنفذوا مني
اقطارا السحوات والارض فانفذوا لا تخذنها
عن يميني فبما اخرجني من الارض ثلاث حصيات ثم يضعها
تحتها راسه ويدخل المعرض كفة فلا يزال سوا مطلقا
فاي ليلة اخرى تلتقيتها عن الشيخ ابراهيم الحارثي وفيه
زقيا اذا بقي بها احد سبع مرات فلا يزال يلدع الا فاعلى
ولولده اعظم نقبا من ذلك الارض لا يزال به ولا يترك
فيه شي حتى ولو دس عليه السم من احد وكل طفل ماما
مسموما لا يضره باذن الله تعالى وهو هكذا امضا من
اغثك امطروا اغثك خاشا بيد ورا غثك صبرك كورا
صا ورحي اغثك صبرك كورا اغثك صبرك كورا اغثك
صبرك كورا اغثك صبرك كورا اغثك صبرك كورا
اغثك بون صنادين اغثك ارد هرير ورسول
فاوقف هربندار اغثك شرس كغ مستحدا بيرا اغثك
سريود اغثك شرس كغ اغثك كيس كور
وزاوصه وزكار كار هرمان مرتينه داران امطروا

كتاب
اللولؤ المنثور
في نصيحة ولالة الأمور

تأليف
نور الدين السمهودي

القسم الثاني
النص المحقق

تحقيق
بدر إدريس

المقدمة

بسم الله الرحمن الرحيم

[يا فتاح يا عليم ^(١)]

الحمد لله الذي فتح بمفاتيح الغيوب إقفال القلوب ، ورفع حجب السرائر ،
وأثار بنوره البصائر ، فظهر ما كان محجوب ، وجلى عرائس الوجود في مرآة
الشهود ، (فمن فهم المقصود بلغ المطلوب) ^(٢) ، ووفق من شاء من عباده
(فجاهد في الله حق جهاده) ^(٣) ، ففاز من نيل (مراده) ^(٤) ، بما سبق له في
المكتوب .

(أحمده حمد من إليه يؤوب ، ومن ذنبه يتوب ، ومن آوى إليه بلغ
المقصود) ^(٥) ، وأشهد أن لا إله إلا الله (وحده لا شريك له) ^(٦) ، شهادة أدخرها
لتفريج الكرب .

وأشهد أن سيدنا [ومولانا] ^(٧) محمداً (عبده ورسوله الذي اختاره من الأنام
محبوباً فنعم المحبوب) ^(٨) ، صلى الله عليه وعلى آله وأصحابه ، (صلاة وسلاماً
دائمين متلازمين إلى وعد غير مكذوب) ^(٩) وبعد :

(١) من (د) .

(٢) ليست في (د) .

(٣) ليست في (د)

(٤) في (ص) المراد .

(٥) ليست في (ص) .

(٦) ليست في (د) .

(٧) من (د)

(٨) ليست في (د) .

(٩) في (د) صلاة دائمة إلى يوم وعده غير مكذوب .

فهذا (مجموع) ^(١) لطيف [نفيس] ^(٢) جمعته من كتب متعددة وهي " الجامع الصغير في حديث البشير النذير " للجلال السيوطي ^(٣) ، و " بداية النهاية ^(٤) " للغزالي ^(٥) ، و " التبر المسبوك في نصيحة الملوك (له أيضاً) ^(٦) ، وكتاب " معيد النعم " للإمام السبكي ^(٧) ، وكتاب " فاكهة الخلفاء ومفاكهة الظرفاء " لابن عرب شاه ^(٨) ، و " قمع النفوس " للإمام

(١) في (د) كتاب .

(٢) من (د) .

(٣) هو الإمام أبو الفضل عبد الرحمن بن الكمال أبي بكر الخضير الشافعي ، العالم العلامة الحبر البحر ، أعجوبة الدهر ، صاحب المؤلفات الحافلة الجامعة المتقنة التي قاربت ستمائة مصنف ، ولد سنة ٨٤٩ هـ ، وتوفي سنة ٩١١ هـ .

انظر ترجمته في : حسن المحاضرة (١٨٨/١) ، والضوء اللامع (٦٥/٤) ، وتاريخ ابن إياس (٨٣/٤) ، وشذرات الذهب (٥١/٨) ، والكواكب السائرة (٢٢٦/١) ، وآداب اللغة (٢٨٨/٣) .

(٤) في (د) النهاية وهو خطأ .

(٥) هو الإمام الأصولي الزاهد الورع ، صاحب إحياء علوم الدين وغيرها من الكتب النافعة ، أبو حامد محمد بن محمد بن أحمد الطوسي الشافعي الغزالي ، صاحب التصانيف والذكاء المفرط ، ولد سنة ٤٥٠ هـ ، وتوفي سنة ٥٠٥ هـ ، وله خمس وخمسون سنة .

انظر ترجمته في : سير أعلام النبلاء للذهبي (٣٢٣/١٩) ، وطبقات الشافعية (١٩٢/٦) ، ومرآة الجنان (١٤٥/٢) ، والوافي بالوفيات (٢٧٧/١) ، ومفتاح السعادة (١٩١/٢) ، وآداب اللغة (٩٧/٣) ، وتبيين كذب المفتري (٢٩١) وغيرها .

(٦) ليست في (د) ولا (ص) .

(٧) هو الإمام الأصولي البارع الفقيه الشافعي النجيب ، عبد الوهاب بن علي بن عبد الكافي السبكي ، أبو نصر ، قاضي القضاة الشافعي ، ولد سنة ٧٢٧ هـ ، وتوفي سنة ٧٧١ هـ شهيداً بالطاعون .

انظر ترجمته في : جلاء العينين (١٦) ، والدرر الكامنة (٤٢٥/٢) ، وحسن المحاضرة (١٨٢/١) ، وأعلام الزركلي (١٨٤/٤) .

(٨) هو أحمد بن محمد بن عبد الله بن إبراهيم أبو محمد شهاب الدين ، المعروف بابن عرب شاه ، المتوفى سنة ٨٥٤ هـ .

انظر ترجمته في : الضوء اللامع (٢٦/٢) ، والتبر المسبوك (٣٢٥) ، وآداب اللغة (١٥٥/٣) ، وشذرات الذهب (٢٨٠/٧) ، والبدر الطالع (١٠٩/١) .

الحصني^(١) (وكتاب السياسية في تدبير المملكة وحفظ الرياسة " لنطرسوسي)^(٢) (٣) ، و" تهذيب الرياسة في الحكم والسياسة " لأبي الحسن الأهوازي ، [وغيرها]^(٤) مما طالعت من المجاميع بمصر وأرض اليمن ، وسميته " اللؤلؤ المنثور في نصيحة ولالة الأمور " وجعلته مشتملاً على نصائح وآداب ، تذكرة لأولي الألباب ، وعملاً بما جاء به الكتاب المبين ، ﴿وَذَكِّرْ فَإِنَّ الذِّكْرَ تَنْفَعُ الْمُؤْمِنِينَ﴾^(٥) .

ورتبته على أربعة أبواب راجياً من الله [تعالى]^(٦) الكريم الوهاب الهداية إلى (طرق)^(٧) الصواب ، (وأن يوفق من عمل به إلى هدى ينجيه غداً من عذاب النار وسوء الحساب بين يدي رب الأرباب)^(٨) ، إنه بالإجابة جدير ، وبعباده لطيف خبير .

(١) هو الإمام الفقيه الزاهد الورع ، محمد بن محمد بن عبد المؤمن بن حريز بن معلى الحسيني الحصني ، الشافعي المذهب ، صاحب كتاب كفاية الأخيار في الفقه الشافعي ، المتوفى سنة ٨٢٩ هـ .

انظر ترجمته في : الضوء اللامع (٨١/١١) ، وشذارت الذهب (١٨٨/٧) ، والبدر الطالع (١٠٩/١) .

(٢) في (د) وكتاب الطرسوسي .

(٣) هو إبراهيم بن علي بن أحمد بن عبد الواحد بن عبد المنعم الطرسوسي ، المتوفى سنة ٧٥٨ هـ .

انظر ترجمته في : الدرر الكامنة (٤٣/١) ، والنجوم الزاهرة (٣٢٦/١٠) ، والجواهر المضئية (٨١/١) ، والفوائد البهية للكنوي (١٠) .

(٤) في (الأصل) وغيرهما والمثبت من (د) وهو الصواب الموافق للسياق ، ولم أعثر على ترجمة الأهوازي .

(٥) سورة الذاريات ، آية رقم (٥٥) .

(٦) من (د) .

(٧) في (د) وطريق .

(٨) ليست في (د) .

الباب الأول : في فضل العقل وتعريفه (وما خص الله تعالى به ذوي العقول) ^(١) . وما ورد في ذلك من الأخبار والأحاديث والآثار ونحو ذلك (مما يأتي بيانه) ^(٢) [فيه إن شاء الله] ^(٣) .

الباب الثاني : في بيان ما يجب ويتعين على ولادة الأمور [من] ^(٤) (العمل به) ^(٥) ، وما ينبغي (التحرز) ^(٦) منه ، (وما ورد من الأحاديث الشريفة في حق ولادة الأمور) ^(٧) .

الباب الثالث : (في أخبار وآثار ونصائح ورغائب وما وقع للملوك السابقين من الأحكام ، وما ينبغي لولادة الأمور العمل به اقتداء بهم) ^(٨) .

الباب الرابع : في فوائد ومنافع (وخواص صحت بالتجربة ، جمعتها من مؤلفات الإمام الجليل أبي العباس (أحمد) ^(٩) البوني ^(١٠) ، وغيره مما) ^(١١) (يحتاج إليها ، وأشد الناس إليها احتياجا ولادة الأمور) ^(١٢) .

(١) ليست في (د) .

(٢) ليست في (د) .

(٣) من (ص) .

(٤) من (ص) .

(٥) ليست في (د) .

(٦) في (د) : التجوز .

(٧) في (د) وما ورد في ذلك من الأحاديث .

(٨) في (د) فيما وقع للملوك السابقين وأخبارهم ونصائحهم ، وما ينبغي للولادة أن تعمل به .

(٩) ليست في (ص) .

(١٠) هو أحمد بن علي بن يوسف ، أبو العباس البوني ، المتوفى سنة ٦٢٢ هـ ، له كتب في علم

الحروف والخواص أشهرها كتابه : شمس المعارف الكبرى .

انظر ترجمته في : كشف الظنون (١٦٠٢) ، ومعجم سركيس (٦٠٧/١) ، وهديّة العارفين

(٩٠/١) ، وجامع كرامات الأولياء (٣١٤/١) ، وأعلام الزركلي (١٧٤/١) وغيرها .

(١١) ليست في (د) .

(١٢) في (د) يحتاج إليها ولادة الأمور .

فأقول راجياً من الله تعالى (الإخلاص والقبول) ^(١) :

(١) في (ص) القبول والإخلاص .

الباب الأول

في فضل العقل وتعريفه

الباب الأول

في فضل العقل وتعريفه ، (وما خص الله به ذوي العقول ،
وما ورد في ذلك على ما يأتي بيانه) ^(١) [إن شاء الله تعالى] ^(٢)

اعلم أنا لم نبدأ إلا بالعقل (لأن) ^(٣) الله تعالى ما خاطب به إلا أولوا الأبواب
أي ذوي العقول ^(٤) فقال في كتابه المكنون ﴿إِنَّ فِي ذَلِكَ لَآيَةً لِّقَوْمٍ يَعْقِلُونَ﴾ ^(٥) .
وقال في محكم الكتاب : ﴿إِنَّمَا يَتَذَكَّرُ أُولُوا الْأَبَابِ﴾ ^(٦) .
وقال [تعالى] ^(٧) : ﴿وَتِلْكَ الْأَمْثَالُ لِنَضْرِبُهَا لِلنَّاسِ وَمَا يَعْقِلُهَا إِلَّا
الْعَالِمُونَ﴾ ^(٨) صدق الله العظيم .

روي ^(٩) " أن الله تعالى لما خلق العقل أوقفه بين يديه في أحسن صورة
فقال له : " أقبل " ، فأقبل .
ثم قال له : " أدبر " ، فأدبر .

(١) ليست في (د)

(٢) من (ص) .

(٣) في (د) إلا أن .

(٤) زاد في (ص) وما ورد في ذلك على ما يأتي بيانه وهي زيادة مقحمة .

(٥) سورة النحل ، آية رقم (٦٧) .

(٦) سورة الرعد ، آية رقم (١٩) .

(٧) من (د) .

(٨) سورة العنكبوت ، آية رقم (٤٣) .

(٩) في حاشية (الأصل) : قوله : روي ... الخ : هذا الحديث قال بعض العلماء إنه موضوع .

فَقَالَ : وعزتي وجلالي لأجعلنك في (خيار) ^(١) خلقي ، (ما خلقت خلقاً أعز عني منك) ^(٢) ، بك أحاسب ، وبك أعاقب ، وبك آخذ ، وبك أعطي " ^(٣) .

والدليل على ذلك أن الله تعالى جعل نظام العالم منوطاً (بشيئين) ^(٤) : الأمر والنهي ، وكلاهما موقوف على العقل .

وتعريف العقل هو : قوة غريزية يُسكنها (الحق سبحانه وتعالى) ^(٥) في الخواص [من خلقه] ^(٦) تؤدي (على) ^(٧) إدراك المعقولات .

ومحله الرأس ، وله نور متصل بالقلب ، وعند بعضهم أن محله القلب ، وله نور متصل بالرأس [قال الله تعالى ﴿لَهُمْ قُلُوبٌ يَعْقِلُونَ بِهَا﴾] ^(٨) .

وهو ينقسم إلى قسمين :

قسم : لا يقبل الزيادة والنقصان .

وقسم : يقبلهما .

(١) في (ص) حسان .

(٢) في (ص) خلقت خلق علي أعز منك .

(٣) ورد هذا الحديث من روايات عدة ، وكلها لا تصح وقد نص الأئمة - رحمهم الله تعالى - على

أن الحديث موضوع كذب ، فقال ابن القيم - رحمه الله تعالى - في كتابه نقد المنقول (٦٦) :

أحاديث العقل كلها كذب كقوله : لما خلق الله العقل قال له : أقبل ، فأقبل ، ثم قال له : أدبر ،

فأدبر ، فقال : ما خلقت خلقاً أكرم عليّ منك ، بك آخذ ، وبك أعطي .

وفي كشف الخفاء (٢٠٧٥) : قال الزركشي : كذب موضوع باتفاق .

وبنحو هذا قال الصغاني في كتابه الموضوعات (٤٨) .

(٤) في (د) بسبيين .

(٥) في (د) الله تعالى .

(٦) من (د) .

(٧) في حاشية (الأصل) : على بمعنى : إلى ، وفي (ص) : إلى .

(٨) من (د) ، والآية من سورة الحج ، آية رقم (٤٦) .

أما القسم الذي لا يقبل الزيادة والنقصان فهو العقل الغريزي ، الذي يجري به القلم على صاحبه عند الاحتلام ، فعند ذلك يجري عليه التكليف بالأحكام الشرعية .

وأما الذي يقبل الزيادة [والنقصان] ^(١) فزيادته ونقصانه كسبية بحسب التجارب والوقائع والحوادث ، ولهذا كل حيوان يولد بعقله الذي خصه الله به كاملاً إلا الإنسان . ألا ترى ولد الدابة حين يولد يعقل ثدي أمه (فيلقمه) ^(٢) في الوقت ، ثم يجري يميناً وشمالاً ، فإذا بلغ بئراً [ونحوها] ^(٣) وقف (ورجع) ^(٤) القهقري (خوف الترددي) ^(٥) فيها بخلاف الإنسان ، (حيث أخذ الجمرة وترك التمرة) ^(٦) ، لكنه كلما كبر زاد عقله إلى أن يبلغ أربعين عاماً ، قال الله (عز وجل) ^(٧) : ﴿حَتَّىٰ إِذَا بَلَغَ أَشُدَّهُ وَبَلَغَ أَرْبَعِينَ سَنَةً﴾ ^(٨) ، فباعتبار هذا الحال يكون الكهل أتم عقلاً وأكمل تدبيراً .

قال الحكماء : من بيضت الحوادث سواد لمته ، وأخلقت [التجارب] ^(٩) لباس (جدته) ^(١٠) ، وأرضعه الدهر من وقائع الأيام أخلاقاً ردتته (وأراد) ^(١١) الله تعالى بكثرة ممارسته للأمور تصاريف أقداره وأقضيته ، كان جديراً (برجاحة

(١) من (ص) .

(٢) في (د) ، (ص) فيلقمه .

(٣) من (د)

(٤) في (ص) أو رجع .

(٥) في (ص) خوفاً لترديه .

(٦) في (د) فإنه إذا وضع له جمرة وتمررة ربما أخذ الجمرة وترك التمرة .

(٧) في (ص) تعالى .

(٨) سورة الاحقاف ، آية رقم (١٥) .

(٩) في (الأصل) ، (د) : تجارب والمثبت من (ص) .

(١٠) في (ص) جثته .

(١١) في (ص) وأراد .

العقل ورزاقته^(١) [خصوصاً من فقهه الله في الدين وجعله بزيادة العقل من العلماء الراسخين]^(٢) ، فهو في (قومه)^(٣) بمنزلة النبي في أمته ، قال :

ما وهب الله لامرئ هبة أشرف من عقله ومن أدبه
هما جمال الفتى فإن فقداه فقد الحياة أليق به

قال سعيد بن جبير^(٤) : ما رأيت للإنسان لباساً أشرف من العقل .

(وأول شيء يحتاج إليه الإنسان العقل الممتزج بالعلم)^(٥) ، ومن علامات العاقل أن يتجاوز عن من ظلمه ، وأن يتواضع لمن هو دونه ، (والتغافل)^(٦) عن قول يسوؤه ، وأن يكون شأنه المبادرة إلى فعل الخيرات .

سئل أحد الحكماء : (بم)^(٧) يعرف عقل الرجل ؟

قال : بقلة كلامه ، فإنه إذا تم العقل نقص الكلام .

واعلم أن الدين تابع للعقل فحيث كان العقل كان الدين معه ، (فالعقل)^(٨) جمال الإنسان ، وكماله العلم ، ونظامه التدبير ، وليس للملوك شيء أحسن من هذه الخصال ، فمن اجتمع فيه العقل والعلم والتدبير فقد حاز خصالاً حميدة وهي :

(١) في (ص) برزاقته العقل ورجحانه .

(٢) من (ص) .

(٣) في (د) قوته .

(٤) هو سعيد بن جبير الكوفي ، الإمام الشهيد ، قتله الحجاج بن يوسف الثقفي ، الأمير الظالم المبير سنة ٩٥ هـ .

انظر ترجمته في : سير أعلام النبلاء (٣٢١/٤) ، وطبقات ابن سعد (٢٥٦/٦) ، وطبقات خليفة (٢٥٣٤) ، والمعارف لابن قتيبة (٤٤٥) ، وتاريخ الإسلام للذهبي (٢/٤) ، والعبر للذهبي (١١٢/١) وغيرها .

(٥) ليست في (ص) وجعلها في آخر الجملة .

(٦) في (د) ويتغافل .

(٧) في (ص) بماذا .

(٨) في (ص) فإن العقل .

الدين والتقوى والأدب والأمانة والعفة والقناعة والرحمة والحياء والزهد والوفاء والصدق والسكينة والحلم (والعدل) ^(١) (والجودة) ^(٢) (والمدارة) ^(٣) وحسن الخلق ، فهذه خواص آداب الملوك .

واعلم أن العقل والتدبير أخوان ، فمن أعطاه الله تعالى عقلاً فقد حاز التدبير . وكل عيب أو نقص صدر من إنسان إنما صدر عن قلة عقل ؛ لأنه لو كان عاقلاً لتدبر عاقبة ذلك الشيء فلا يصدر منه نقص (ولا) ^(٤) عيب وما أحسن قول يزدجر حين سأله أنو شروان ^(٥) : ما زينة الإنسان ؟

قال : العقل الذي يسود به على سائر الأقران .

[قيل : إن لم يكن ؟ .

قال : أدب يتميز به على سائر الإخوان] ^(٦) .

قيل : فإن لم يكن ؟ .

قال : خلق حسن يؤدي [إلى السلامة] ^(٧) يوم يوضع الميزان .

قيل : فإن لم يكن ؟

قال : كرم يستميل به قلوب الأصدقاء والإخوان ^(٨) .

قيل : فإن لم يكن ؟ .

(١) في (الأصل) والعقل ، والمثبت من (د) ، و(ص) .

(٢) في (الأصل) والتودد ، والمثبت من (د) ، و(ص) .

(٣) في (ص) والمودة .

(٤) في (د) أو .

(٥) أنو شروان ملك من ملوك الفرس ، كان يضرب به المثل في الحكمة والعقل والفهم وسياسة الأمور ، ويزدجر هو وزيره ، ولم أجد له ترجمة مفصلة ، وإنما يذكر في كتب الآداب والحكم .

(٦) سقطت من (الأصل) ، والمثبت من (د) .

(٧) في (الأصل) : على سلامته ، والمثبت من (د) ، و(ص) .

(٨) في (د) ، و(ص) والجيران .

قال : [صمت] ^(١) يستر نقصه وجهه .

قيل : فإن لم يكن ؟ .

قال : صاعقة من السماء تنزل عليه تحرقه .

قيل : فبم يعرف كلام الرجل وكلامه إذا كان غائبا ؟ .

قال : بكتابه وبرسوله وبهديته ، فإن كتابه يخبر عن نطق لسانه ؛ لأن القلم أحد اللسانين . ورسوله قائم مقام نفسه ؛ لأنه ما أرسله إلا وقد تخيره ، وهديته عنوان همته .

سئل عبد الله بن عباس رضي الله عنهما ^(٢) : ما الدليل على كمال عقل الرجل ؟ .

قال : إذا صنع المعروف مبتدئاً به ، وتجاوز عن الزلة ، (وتجنب بواطن السوء) ^(٣) .

[وليس من كمال الرجل العاقل أنه إذا وقع في أمر اجتهد بعقله في الخلاص منه بحسن التدبير ، [يل] ^(٤) من كمال العقل أن يحرص على نفسه [أن] ^(٥) يوقعه في أمر يحتاج إلى التدبير في الخلاص منه] ^(٦) .

(١) في (الأصل) سمت ، والمثبت من (د) ، و(ص) .

(٢) هو الصحابي الجليل حبر القرآن عبد الله بن عباس بن عبد المطلب ، ابن عم النبي ﷺ ، توفي عبد الله بن عباس بالطائف سنة ثمان وستين في أيام ابن الزبير ، انظر ترجمته في : سير أعلام النبلاء (٣٦٥/٢) وطبقات خليفة (٨٢١) ، وحلية الأولياء (٣١٤/١) وغيرها .

(٣) في (ص) و(د) وتجنب مواطن الاعتذار ، والحديث لم أجده .

(٤) من (ص) .

(٥) في (الأصل) ، و(د) : أو والمثبت من (ص) .

(٦) ليست في (د) ، (ص) .

واعلم أيها (الناظر في هذا الكتاب أن صانع المخلوقات سبحانه وتعالى) ^(١) جعل مدار أمور العبادة (ومبناها) ^(٢) في المبدأ والمعاد على دليلين عظيمين : أحدهما : العقل الذي هو مناط التكليف ، وثانيهما : قواعد الشرع الشريف .

فمن أراد سعادة الدارين (فليتمسك) ^(٣) بهذين الدليلين فتبين [بهذا] ^(٤) أن مدار الأمور الدينية والدنيوية على العقل (الذي يؤاخذ به الإنسان إذ هو شرف لكل إنسان) ^(٥) .

قال رسول الله ﷺ : " ما قسم الله لعباده خيراً من العقل ، وإن نوم العاقل خير من عبادة الجاهل " ^(٦) .

وقال العلماء (العاملون) ^(٧) : العقل : سلطان ، ووزيره : التدبير ، وجنوده : الفكر والتودد والعدل والمداراة والعلم والحلم وحسن الخلق .
(وإن أحق) ^(٨) الناس بالحكم من كان قلبه [مكاناً] ^(٩) للدين والعقل ورأيه (خزانة) ^(١٠) العلم والفضل ، وأن يكون مصاحبته مع العلماء ومشاورته مع ذوي (الآراء العقلية) ^(١١) .

(١) في (د) واعلم أيها الإنسان أن الله سبحانه وتعالى .

(٢) ليست في (د) ، (ص) .

(٣) في (د) فعليه أن يتمسك .

(٤) من (د) .

(٥) ليست في (د) .

(٦) لم أجده ، والأحاديث في فضل العقل تقدم كلام الأئمة فيها ، وأنها كلها كذب .

(٧) ليست في (د) .

(٨) في (د) والأحق .

(٩) في (الأصل) و (د) مسكيناً ، والمثبت من (ص) وهو الموافق للسياق .

(١٠) في (ص) خزينة .

(١١) في (ص) ذوي الرأي .

ومن الذين خصهم الله سبحانه وتعالى بكمال العقل : قس بن ساعدة ^(١) فإنه كان في زمن الجاهلية قبل مبعث النبي ﷺ تأمل في مصنوعات الله عز وجل ، وتفكر في خلق السموات والأرض فهدي بعقله إلى أن آمن بالله ورسوله قبل أن يبعث (رسول الله) ^(٢) ﷺ ، ومات على الفطرة الإسلامية ، (ولم ير النبي ﷺ) ^(٣) بدليل أنه لما (نظر) ^(٤) متأملاً في مصنوعات الله عز وجل قال :

يا أيها الناس اسمعوا وعوا ، وإذا وعيتم [فأيقنوا] ^(٥) : إنه من عاش مات ، ومن مات فات ، وكل ما هو آت آت ، مطر ونبات ، وأرزاق وأقوات ، وآباء وأمهات ، وجمع وشتات ، وآيات بينات ، إن في السماء لخبر .

وإن في الأرض لعبر ، ليل داج ، وسماء ذات أبراج ، وبحار ذات أمواج ، مالي أرى الناس يذهبون (ولا) ^(٦) يرجعون ، أرضوا بالمقام فأقاموا ، أم تركوا هناك فناموا .

أقسم قس قسماً لا [حائثاً] ^(٧) فيه ولا آثماً ، إن لله ديناً هو أحب إليه من دينكم الذي أنتم عليه ونبياً حان حينه ، وأظلمكم أوانه وأدركتكم آياته ، طوبى لمن آمن به فهداه ، والويل لمن خالفه وعصاه ، (تباً لأرباب الغفلة من الأمم الخالية

(١) شاعر من شعراء الجاهلية ، وكان يضرب به المثل في الفصاحة والبلاغة والحكمة والعقل ، ويقال : إنه كان على دين إبراهيم عليه الصلاة والسلام ، ويدعو العرب إلى نبذ العكوف على الأوثان ، ويرشدهم إلى عبادة الخالق سبحانه ، توفي سنة ٢٣ قبل الهجرة النبوية ، انظر البيان والتبيين (٢٧/١) ، والأغاني (٤٠/١٤) ، وعيون الأثر (٦٨/١) ، وخزانة الأدب للبغداد (٢٦٧/١) ، وجواهر الأدب للهاشمي (٣٣٦) .

(٢) ليست في (د) .

(٣) ليست في (د) .

(٤) في (ص) نطق .

(٥) في (الأصل) فانتفعوا ، والمثبت من (د) ، و(ص) .

(٦) في (الأصل) فلا

(٧) في (الأصل) : لاحنا ، والمثبت من (د) ، و(ص) .

والقرون الماضية^(١) ، يا معشر الناس أين الآباء والأجداد ؟ أين (المرضى والعواد)^(٢) ؟ أين الفراعنة الشداد ؟ أين من بنى فشيده وزخرف [ونجد]^(٣) وغيره المال والولد ؟ [أين (من طغى وجمع فأوعى)^(٤) ، وقال : أنا ربكم الأعلى ؟ أو نم يكونوا أكثر منكم أموالاً وأبعد منكم آمالاً وأطول منكم آجالاً ؟ طحنهم الثرى بكلّله^(٥) ، ومزقهم بتطاوله ، فتلك عظامهم بالية ، وقصورهم خالية ، عمرتها الذئب العادية . (وصارت مسكناً ومأوى للطيور والوحوش الرائحة منهم والغادية)^(٦) ، كلا بل هو الله تعالى المعبود ، ليس بولد ولا مولود]^(٧) ، ثم أنشد يقول :

ففي السّاهبين الأولين	من القرون لنا بصائر
لما رأيت موارداً	للموت ليس لها بصادر
ورأيت قومي نحوها	تمضي الأصاغر والأكابر
أيقنت أنني لا محالة	حيث صار القوم صائر
(إن كان خيراً يعم جميعنا	أو كان شراً فالله عليه قادر) ^(٨) ^(٩)

(١) ليست في (د) .

(٢) في (ص) المريض والعوادين .

(٣) كذا في (الأصل) ، وليست في (د) ولا أعلم وجهها .

(٤) في (د) أين من بغى وطغى .

(٥) الكنك هو الغليظ الشديد ، واستعاره المصنف على التراب ، ومنه قول الأعرابية ترثي ابنها :

ألقى عليه الدهر كلكه من ذا يقوم بكلّ الدهر ؟

أي بتقله وغلظه ، وانظر لسان العرب (٥٩٠/١١) .

(٦) ليست في (د) ، و(ص) .

(٧) ما بين المعكوفين ليس في (ص) .

(٨) كذا في (الأصل) ، والنوزن فيه انكسار ظاهر .

(٩) هذا البيت لم أره عند من ذكر تلك الحادثة لقس ، وانظر جواهر الأدب للأستاذ أحمد الهاشمي (٣٣٦) وغيره .

فانظر (يا أخي) ^(١) أيها المتأمل في هذا الكتاب (كيف) ^(٢) أدى نتيجة عقل هذا الرجل إني أن هدي إلى انصواب فاستدل بكمال عقله على وحدانية الله تعالى ، وأنه لا بد من الفناء لجميع ما سواه ، وأن البقاء [والدوام] ^(٣) لله (فهذا من الذين خصهم الله تعالى بكمال عقل هدى به إلى زيادة (عقل) ^(٤) ومعرفة خرج بها عن حد الاكتساب فأدى به ذلك إلى الهدى) ^(٥) فهدي بتقدير العزيز الوهاب إلى طريق الصواب (فكان ممن آب وأناب) ^(٦) قبل أن يبلغه رسول ولا كتاب .

(قال رسول الله ﷺ : " ما قسم الله لعباده خيراً من العقل ، وإن نوم العاقل خير من عبادة الجاهل وضحك العاقل خيراً من بكاء الجاهل) ^(٧) " ^(٨) .

ولما كانت أمور العباد منوطة بالعقل جعل الله تعالى أفعال (العباد) ^(٩) منه ما هو سبب لسعادتهم ، ومنها ما هو سبب (لشقاوته) ^(١٠) ، ولما أن كان كل أحد لا يعرف ذلك من تلقاء نفسه أرسل الله تعالى بعض ملائكته لأشخاص اختصهم من دون خليقته بالسعادة الأبدية في الأزل ، وهم خلاصة الخواص من خلقه ، فهم الأنبياء المرسلون صلوات الله وسلامه عليهم [أجمعين] ^(١١) ، فأرسلهم إلى الخلق ليوضحوا لهم طريق الحق ، ﴿إِنَّمَا يَكُونُ لِلنَّاسِ عَلَى اللَّهِ حُجَّةٌ بَعْدَ الرُّسُلِ﴾ ^(١٢) .

(١) ليست في (د) ، و(ص) .

(٢) ليست في (ص) .

(٣) من (د) .

(٤) ليست في (ص) .

(٥) ليست في (د) ، و(ص) .

(٦) ليست في (د) ، و(ص) .

(٧) ليست في (د) ، و(ص) .

(٨) تقدم الكلام على أحاديث العقل .

(٩) في (د) ، و(ص) الإنسان .

(١٠) كذا في (الأصل) .

(١١) من (د) .

(١٢) ليست في (د) ، والآية من سورة النساء ، آية رقم (١٦٥) .

فكان آخرهم بعثاً محمد رسول الله ﷺ ، فهو خاتم الأنبياء ، لا نبي بعده ، أرسله إلى كافة الخلق بشيراً ونذيراً ، وأمر الثقلين بطاعته ، (فمن وهبه الله عقلاً راجحاً تدبر فيما جاء به هذا النبي الكريم) ^(١) ، فهدى به إلى الصراط المستقيم فكان ذلك نتيجة العقل فهو من الذين وصفهم الله تعالى بقوله في الكتاب المجيد : ﴿إِنَّ فِي ذَلِكَ لَذِكْرَ لِمَنْ كَانَ لَهُ قَلْبٌ أَوْ أَلْقَى السَّمْعَ وَهُوَ شَهِيدٌ﴾ ^(٢) .

(١) ليست في (د) .

(٢) سورة ق ، آية رقم (٣٧) .

(فصل في معرفة شرف الولاية) ^(١)

اعلم أن الله سبحانه وتعالى قد اختار خلقاً من خلقه بعد انقضاء رسله فخصهم بالولاية على خلقه ، وأمر العالم بإطاعتهم كما أمرهم بإطاعة (الرسول) ^(٢) ، وأوجبها عليهم بقوله [سبحانه] ^(٣) تعالى : ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ﴾ ^(٤) فقرن سبحانه وتعالى طاعتهم بطاعته وطاعة رسوله ، فبهذا تبين أن مقدار الخلافة أجل مقدار .

ومما يدل على [عظم] ^(٥) قدرها وجلالة مقدارها ما ورد في الحديث الشريف (في الجامع الصغير للجلال (السيوطي) ^(٦) : (إن الله تعالى إذا أراد أن يجعل عبداً للخلافة مسح بيده على جبهته) ^(٧) ^(٨) .

قال رسول الله ﷺ : " إذا أراد الله أن يخلق خلقاً للخلافة مسح بيده على ناصيته فلا تقع عليه عين إلا أحبته " ^(٩) .

(١) ليست في (د) .

(٢) في (د) ، و(ص) رسله .

(٣) من (ص) .

(٤) سورة النساء ، آية رقم (٥٩) .

(٥) في (الأصل) : جلالة ، والمثبت من (ص) ، وليست في (د) .

(٦) تقدم التعريف به .

(٧) ليست في (د) .

(٨) حديث موضوع : انظر حديث رقم (١٥٤١) ، ضعيف الجامع الصغير للألباني رحمه الله تعالى .

(٩) أخرجه الحاكم في المستدرک ، كتاب المناقب ، باب فضل العباس (٥٤٢٧) . وضعفه الألباني في ضعيف الجامع الصغير (١٥٤٢) .

[وقال رسول الله ﷺ : إذا أراد الله بقوم خيراً ولى عليهم صلحاءهم وقضى بينهم علماؤهم وجعل المال في سمحائهم ، وإذا أراد بقوم شراً ولى عليهم سفهاءهم وقضى بينهم جهالهم وجعل المال في بخلاتهم] ^(١) .

فتبين بذلك أن من أوتي الولاية على خلقه [وعدل فيهم] ^(٢) فقد آتاه الله خيراً (كثيراً) ^(٣) ، لاختياره إياه ولياً على أمور رعاياه ، فمن أوتيها فيجب عليه أن يعرف مقدار ما أنعم الله تعالى عليه حيث اختاره لها دون غيره ، فيجب عليه أن يؤدي شكر هذه النعمة الجليلة المقدار ، وأن يعمل فيها بما أمر الله تعالى (في محكم القرآن بقوله سبحانه وتعالى عظة لكل إنسان) ^(٤) : ﴿إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ﴾ ^(٥) .

(١) من (ص) والحديث أخرجه الديلمي في مسند الفردوس ، كما في ضعيف الجامع (٣٤٤) ، وقال : موضوع .

(٢) من (ص) .

(٣) في (د) ، و(ص) عظيماً .

(٤) ليست في (د) .

(٥) سورة النحل ، آية رقم (٩٠) .

([فصل في أداء شكر نعمة الولاية] ^(١))

(اعلم) ^(٢) أن لكل نعمة شكراً خاصاً بها ، كما أن شكر نعمة البصر غرض
انصرف عن محارم الله تعالى ، وشكر نعمة كل جراحة صرفها فيما خلقت له ،
وشكر نعمة الولاية العمل فيها بالعدل ، وترك الجور) ^(٣) ، فإن ولي الأمر إذا
عامل الرعايا بالعدل وبسطه فيهم ، واجتنب الجور (ومواده) ^(٤) دام ملكه ؛ فإن
استعمل الجور وأقر على الظلم خيف عليه انتزاع هذه النعمة (من يده) ^(٥) ، فإن
النعمة إذا شكرت قُرت ، وإذا كفرت فُرت .

(قال القرطبي) ^(٦) : والدليل على ذلك أن مُلك الأرض والدولة والأموال
والإمارة والولاية كانت للعرب خاصة دون غيرهم [من الترك والعجم] ^(٧) ، فلما أن
كفروا النعمة انتزع ذلك منهم ، وصار ذلك في غيرهم من الترك والعجم ، وسيقوا
في البلاد بعد أن كان العز والملك لهم (ببركة) ^(٨) النبي ﷺ ، وما جاء به من الدين
والإسلام ، فلما لم يشكروا النعمة وكفروها ، فقتلوا بعضهم بعضاً ، وسلب بعضهم
أموال بعض ، سلبها الله تعالى منهم ، ونقلها إلى غيرهم كما قال الله تعالى ﴿وَإِنْ
تَتَوَلَّوْا يَسْتَبَدِلْ قَوْمًا غَيْرَكُمْ﴾ ^(٩) .

(١) ما بين المعكوفين ليس في (ص) .

(٢) في (ص) واعلم .

(٣) ليست في (د) .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) ليست في (د) ، و(ص) . والقرطبي هو أبو عبد الله محمد بن أحمد بن أبي بكر بن فرح

الانصاري الخزرجي الأندلسي ، من كبار المفسرين ، صاحب التفسير والتذكرة وغيرها من

المصنفات النافعة ، توفي سنة ٦٧١ هـ . وانظر طبقات المفسرين للداودي (٢٤٦/١) .

(٧) من (ص) .

(٨) في (د) بترك .

(٩) سورة محمد ، آية رقم (٣٨) .

وعن زينب بنت جحش زوج النبي ﷺ قالت : خرج رسول الله ﷺ يوماً
فزعاً محمراً وجهه يقول : " لا إله إلا الله ويل للعرب من شر قد اقترب ، فتح
اليوم من ردم يأجوج ومأجوج مثل هذه " ، وحلق بإصبعيه الإبهام والتي يليها .
قالت : فقلت : يا رسول الله أنهلك وفينا الصالحون ؟
قال : " نعم ، إذا كثر الخبث " (١) .

(١) أخرجه البخاري (٣١٦٨) ، كتاب التفسير ، باب قصة يأجوج ومأجوج ، ومسلم (٢٨٨٠) ،
كتاب الفتن وأشرط الساعة ، باب اقتراب الفتن وفتح ردم يأجوج ومأجوج .

فصل قوله : ويل للعرب من شر قد اقترب

المراد بالويل : الحزن ، (قاله) ^(١) ابن عرفة ^(٢) ، (ولقد) ^(٣) أخبر (النبي) ^(٤) ﷺ بما يكون بعده من أمر العرب وما يستقبلهم من الويل والحزن ، (ألا ترى إلى قوله) ^(٥) ﷺ : " لا ترجعوا بعدي كفارا (يضرب) ^(٦) بعضكم رقاب بعض " ^(٧) . فلما أن كفروا النعمة ولم يشكروها نقلها الله تعالى منهم (فجعلها) ^(٨) في غيرهم ، وجعلهم تحت قهر الملوك .

قال العارفون : الملك يدوم بالعدل ، وإن كان الملك كافراً ، ولا يبقى مع الجور وإن كان الملك مسلماً ، (ولذا) ^(٩) قيل : العدل [لا يدوم] ^(١٠) إن دام عمر ، والجور [لا يدوم] ^(١١) إن دام دمر .

(١) في (د) قال .

(٢) هو الإمام : محمد بن عرفة الوريغمي التونسي ، ولد - رحمه الله - عام ستة عشر وسبعمائة ، وتوفي عام ثلاثة وثمانمئة هجرية ، انظر ترجمته بتوسع في أول شرح الحدود لأبي عبد الله محمد الأنصاري التونسي ، المتوفى سنة (٨٩٤ هـ) (من ١١ : ٤٨) .

(٣) في (د) وقد .

(٤) ليست في (د)

(٥) في (د) فقال .

(٦) في (د) فيضرب .

(٧) أخرجه البخاري (١٢١) ، كتاب العلم ، باب الإنصات للعلماء . ومسلم (٦٥) ، متاب الإيمان ، باب بيان معنى قول النبي ﷺ : " لا ترجعوا بعدي كفاراً يضرب بعضكم رقاب بعض " .

(٨) في (د) وجعلها .

(٩) في (د) وكذا .

(١٠) من (د) ، و(ص) .

(١١) من (د) ، و(ص) .

شعر :

عليك بالعدل إن وليت مملكة واحذر من الجور فيها غاية الحذر
فالمك بالعدل يبقى دائماً أبداً ولا يدوم بجور في مدى (العصر) ^(١)

والدليل على أن النعمة إذا شكرت قرت (جاء به النص القطعي بقوله سبحانه) ^(٢) وتعالى ﴿لئن﴾ ^(٣) شَكَرْتُمْ لَأَزِيدَنَّكُمْ وَلئنْ كَفَرْتُمْ إِنَّ عَذَابِي لَشَدِيدٌ ^(٤)﴾ ^(٥) ، (فقطع بالمزيد فينبغي لولي الأمر أن يقابل شكر نعمة الولاية التي أنعم الله تعالى عليه بها بما يناسبها من الشكر ، وهو استعمال العدل مع الرعية واجتناب الجور في كل قضية .

قال الله تعالى ﴿وَأَشْكُرُوا لِي وَلَا تَكْفُرُونِ﴾ ^(٦) ، فإن الشكر يدفع (بلاءين عقوبة الدنيا والآخرة) ^(٧) ، ﴿مَا يَفْعَلُ اللَّهُ بِعَذَابِكُمْ إِن شَكَرْتُمْ وَآمَنْتُمْ﴾ ^(٨) ، وازدياد النعمة) ^(٩) .

(١) في (د) الدهر والبيت لعل بن محمد بن الحسين بن يوسف بن محمد بن عبد العزيز البستي ، أبو الفتح ، والبيت من ديوانه ، وهو ديوان مطبوع صغير ، وانظر : غرر الخصائص الواضحة وعرر النقائص الفاضحة (٨٨) ، للوطواط : محمد بن إبراهيم بن يحيى بن علي الأنصاري الكتبي .

(٢) في (د) قوله .

(٣) في (د) ولئن .

(٤) من (د) .

(٥) سورة ابراهيم ، آية رقم (٧) .

(٦) سورة البقرة ، آية رقم (١٥٢) .

(٧) في (ص) ثلاثين عقوبة من عقوبات الآخرة .

(٨) سورة النساء ، آية رقم (١٤٧) .

(٩) ليست في (د) .

وليس الشكر باللسان خاصة ؛ لأن القول قشر والعمل لب ، (قال الله تعالى : ﴿اعْمَلُوا آلَ دَاوُدَ شُكْرًا﴾ ^(١)) ^(٢) .

(قال رسول الله ﷺ : " من سل سيف الظلم والجور ، سل الله عليه سيف الغلبة ولازمه الغم ") ^(٣) ^(٤) ،

وقال ﷺ : " رجالن من أمتي يحرمان شفاعتي : ملك ظالم مبتدع ، (وغال) ^(٥) ^(٦) في الدين يتعدى الحدود " .

وحيث يعلم الملك أن الله (تعالى) ^(٧) قد أنعم عليه بهذه النعمة (الجليلة) ^(٨) واختاره للولاية على خلقه [يأن] ^(٩) جعله ولي أمرهم دون غيره ، (فليعامل) ^(١٠) رعاياه بما (يحب) ^(١١) أن يعامله الله به ، وليبذل (الجد) ^(١٢) والجهد في العمل بما يجب عليه مما هو مسؤول عنه يوم ينصب الميزان ، (وليذكر) ^(١٣) كما تدين تدان ، انتهى ذلك .

(١) سورة سبأ ، آية رقم (١٣) .

(٢) ليس في (د) ، و(ص) .

(٣) ليست في (د) .

(٤) لم أجد هذا الحديث .

(٥) في (الأصل) ، (ص) : عال ، بالعين المهملة ، والمثبت من (د) ، وهو الموافق لمصادر التخريج ، والحديث أخرجه الطبراني في المعجم الكبير (٨٠٧٩) . وقال الهيثمي في مجمع الزوائد (٢٣٥/٥) : رجال الكبير ثقات .

(٦) في حاشية (الأصل) : لعلها وعالم .

(٧) من (ص) .

(٨) في (د) العظيمة .

(٩) في (الأصل) : بل ، والمثبت من (د) ، (ص) .

(١٠) في (د) فيجب عليه أن يعامل .

(١١) في (د) يجب .

(١٢) في (د) الحب .

(١٣) في (د) وتذكر .

الباب الثاني

في بيان ما يجب [ويتعين]^(١) على ولي الأمر العمل به
وما يتحرز (عنه)^(٢)

(سؤال من عقائق الحقائق : كم خصلة يحتاج إليها السلطان حتى يكون عادلاً ؟ .

قيل : يحتاج إلى ألف خصلة وكلها مجموعة في خصلتين ، إذا عمل بهما كان عادلاً ، وهما أمن العباد ، وعمران البلاد ، كما أمر الله تعالى : اعمل بلادي ، وأنصف عبادي ، فإذا فعل ذلك كان تحت ظل عرش الرحمن)^(٣) .

اعلم أن أول شيء يجب على (الملك)^(٤) العمل به نشر العدل الذي هو صلاح العالم ، إذ هو الأساس الذي (ينبئ)^(٥) عليه (نظام)^(٦) الملك ؛ (لأنه - أي العدل)^(٧) - أساس الدين .

قال الله تعالى في محكم القرآن : ﴿اللَّهُ الَّذِي أَنْزَلَ الْكِتَابَ بِالْحَقِّ وَالْمِيزَانَ﴾^(٨) (والميزان يحتاج إلى ثلاثة أشياء : عمود ولسان وكفتان .

فعموده : السياسة ، ولسانه : حسن [السيرة]^(٩) ، وكفتاه : الرأفة والنصيحة ، فالعدل في الرعية والسياسة في الجند حتى لا تؤذى الرعية ،

(١) من (د) ، (ص) .

(٢) في (د) منه .

(٣) ليست في (د) ، (ص) .

(٤) في (ص) الملوك .

(٥) في (د) ينبئني .

(٦) في (د) أساس .

(٧) في (د) لأن العدل

(٨) سورة الشورى ، آية رقم (١٧) .

(٩) في (الأصل) : السير ، والمثبت من (د) ، (ص) وهو الموافق للسياق .

وحسن السيرة في الكل^(١) .

فالعَدْل هو ميزان الله [تعالى]^(٢) في الأرض إذ به (ينتصف)^(٣) المظلوم ممن ظلمه ، وبه يؤخذ للضعيف من القوي [حقه]^(٤) ، وبه يتميز الحق من الباطل [فمن عمل به قاده إلى الجنة ، ومن تركه ساقه إلى النار ، والميزان يحتاج إلى ثلاثة أشياء : عمود ، ولسان ، وكفتان . فعموده السياسة ولسانه حسن السيرة ، وكفتاه الرأفة والنصيحة ، فالعدل في الرعية ، والسياسة في الجند وحسن السيرة في الكل]^(٥) ، (ولولا عدل السلطان لم يقدر التاجر أن يتجر ، ولا الزارع أن يزرع ، ولا الصانع أن يشتغل ، ولا العالم يبذل العلم ، الكل راجع إلى السلطان . والسلطان إلى العدل ، والعدل يرجع إليه)^(٦) .

(وهو - أي العدل)^(٧) - من صفات الذات من تعلق به نجا وأدخله الجنة ، وكل الأعمال (يوزن)^(٨) بميزان العدل ، ولم يخلق الله تعالى في الأرض أفضل من العدل ، قال رسول الله ﷺ : " أحب الناس إلى الله وأقربهم السلطان العادل وأبغضهم (في)^(٩) الله وأبعدهم السلطان الجائر " ^(١٠) .

(١) ليست في (د) ، (ص)

(٢) من (د) .

(٣) في (د) ينصف .

(٤) من (ص) .

(٥) من (د) .

(٦) ليست في (د) و (ص) .

(٧) في (د) والعدل

(٨) في (د) توزن .

(٩) في (د) إلى .

(١٠) ثم أجده بهذا تلفظ .

(قال) ^(١) رسول الله ﷺ : " عدل السلطان يوماً واحداً خير من عبادة سبعين سنة " ^(٢) ؛ (لأن العبادة خاصة بالعبد ، والعدل شامل للرعايا ، فمنفعته تتعدى إلى كل الخلائق) ^(٣) .

وقال ﷺ : " السلطان ظل الله في الأرض يأوي إليه كل (ملهوف) ^(٤) ، (وطاعته مفترضة على الخلق ، فإن طاعة العادل من عمارة الدنيا وواجب عليه الشفقة عليهم ، والرافة بهم ") ^(٥) ^(٦) .

(سئل رسول الله ﷺ عن شروط السلطان فقال : " يحتاج إلى خمس خصال يكون سره مع الله تعالى صحيحاً حتى يطرح الله تعالى هيبتَه في الخلق ، ويحسن إلى الرعية حتى يطرح الله تعالى محبته في قلوبهم ، ويترك الطمع في أموالهم حتى يزيد الله تعالى في ملكه ، ويكف الأقوياء عن الضعفاء حتى يقهر أعداءه ، وينصره الله عليهم ، ويعمل بالعدل ويأمر عسكره به حتى يزيد الله تعالى في عمره ") ^(٧) .

(١) في (د) وقال .

(٢) لم أجده بهذا اللفظ ولكن أخرج الديلمي في مسنده (٤١٣٥) من حديث عمر بن الخطاب رضي الله عنه موقوفاً قال : " عدل في حكم ساعة خير من عبادة سبعين سنة ، وجور في حكم ساعة يحبط عبادة سبعين سنة " .

(٣) ليست في (د) .

(٤) في (ص) : قلهوف .

(٥) ليست في (د) و (ص) .

(٦) أخرجه البيهقي في شعب الإيمان (١٦/٦) ، باب فضل الإمام العادل وما جاء في جور الولاية ، والقضاعي في مسند الشهاب (٣٠٤) باب السلطان ظل الله في الأرض يأوي إليه كل مظلوم ، وهو إسناد منكر ، فسعيد بن سنان متروك الحديث ، وانظر ميزان الاعتدال (٢١٠/٣) .

(٧) ليست في (د) و (ص) . والحديث لم أجده .

وقال رسول الله ﷺ : " إذا كان يوم القيامة لا يبقى ظل ولا ملجأ إلا ظل الله عز وجل ، يستظل (به) ^(١) سبعة : سلطان عادل (عدل) ^(٢) في رعيته " ^(٣) .
فانظر كيف بدأ (بالسلطان العادل من السبعة) ^(٤) .

وقال ﷺ : " (لعمل) ^(٥) الإمام العادل في رعيته يوماً أفضل من عبادة العابد في أهله مائة سنة " ^(٦) .

وقال (رسول الله) ^(٧) ﷺ : " والذي نفس محمد بيده إنه ليرفع للسلطان العادل إلى السماء من العمل مثل عمل جملة رعيته ، وكل صلاة يصلّيها تعدل سبعين ألف صلاة " ^(٨) .

(جاء جبريل إلى النبي ﷺ فقال : يقول الله لك : يا محمد إن شرط السلطان ستة أشياء : يؤمن بالله ، ويقوم بأمر الله ، ويقضي حق الأقارب ، وأن لا يفسد ، ويقوم بأمر الله ، ويمنع الناس من الفساد ، ولا يفعل قبيحاً ، ولا يخلي أحداً يفعله ، وأن يكون عادلاً ولا يرضى بالجور " ^(٩) .

(١) في (د) فيه .

(٢) ليست في (د) .

(٣) لم أجده بهذا اللفظ ، والمحفوظ في الباب ما أخرجه البخاري (٦٢٩) ، كتاب الصلاة ، باب من جلس في المسجد ينتظر الصلاة ، وفضل المساجد ، ومسلم (١٠٣١) ، كتاب الزكاة ، باب فضل إخفاء الصدقة بلفظ : " سبعة يظلهم الله في ظله يوم لا ظل إلا ظله إمام عادل ... " الحديث .

(٤) في (د) و (ص) من السبعة بالسلطان العادل .

(٥) في (د) لعدل .

(٦) أخرجه الطبراني في معجمه الكبير (١١٩٣٢) ، بإسناد حسن ، كما قال المنذري في الترغيب والترهيب (٣٥٤٢) .

(٧) ليست في (د) .

(٨) لم أجده .

(٩) لم أجده .

وهذا كله موجود في آية واحدة وهي قوله تعالى : ﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ﴾ (١) (٢).

قال (عليه الصلاة والسلام) (٣) : " العدل عز الدين ، وفيه صلاح السلطان ، وقوة الخاص والعام ، وبه يكون خير الرعية وأمنهم " (٤) .

ويدل على ذلك ما قاله العارفون بالله : " لا ملك إلا بالرجال ، ولا [رجال] (٥) إلا بالمال ، ولا مال إلا بالعمارة ، ولا عمارة إلا بالعدل ، فالعدل هو الأساس الذي (ينبني) (٦) عليه نظام الملك ، فإذا استعمل الملك العدل عمرت البلاد [وأمن العباد] (٧) وتحصلت الأموال ، (وكثر) (٨) الرجال ، وانتظمت الأحوال ، وخصب الزمان ، وحصل الأمن والأمان .

فيجب (ويتعين) (٩) على ولي الأمر أن يبذل (جده و) (١٠) جهده في عمارة البلاد وتأمين العباد ، وأن (يكف الأيدي عنهم ، و) (١١) يكف أيدي الغزو والأجناد .

قال الجبار للسيد المختار : إنك على المؤمنين الأبرار ، وأعلم ملوك الأمصار ، أن الواحد القهار يأمر بالعدل وينهى عن الجور والظلم ، فالعدل اسم

(١) سورة النحل ، آية رقم (٩٠) .

(٢) ليست في (د) و (ص) .

(٣) في (د) صلى الله عليه وسلم .

(٤) لم أجده .

(٥) في (الأصل) : رجل ، والمثبت من (د) ، (ص) .

(٦) في (ـ) بيني .

(٧) من (ـ) .

(٨) في (ـ) ، (ص) وكثرت .

(٩) ليست في (د) .

(١٠) ليست في (ـ) .

(١١) ليست في (ـ) .

من أسماء الله تعالى ، قال تعالى : ﴿ قَائِمًا بِالْقِسْطِ ﴾ ^(١) أي بالعدل ، فيجب عليه أن يتصف بوصف من أسماء الله تعالى وهو العدل ، فيدوم له الملك إلى الموت ، ويدوم الخلق إلى الأبد ^(٢) .

قال ابن عباس ^(٣) في تفسيره : إذا ظلم الملوك وخان العلماء نزل البلاء ^(٤) .

وليحذر الملك أخذ المال من غير حله ووضع في غير محله ، (وليعلم ولي الأمر أنه مسؤول عن ذلك بين يدي من بيده تصاريف الأمور فإنه [سائله] ^(٥) إلى يوم تبيض وجوه وتسود وجوه والله عاقبة الأمور) ^(٦) .

(١) سورة آل عمران ، آية رقم (١٨) .

(٢) كذا بالأصول ، ولم أعثر عليه .

(٣) تقدمت ترجمته .

(٤) ليست في (د) ، (ص) .

(٥) كذا في الأصول .

(٦) ليست في (ص) .

(فصل) (١)

وليعلم ولي الأمر أن كل ظلم علم به ولم يبادر لإزالته كان [ذلك] (٢) الظلم منسوباً [إليه] (٣)، (وكان مؤاخذاً به) (٤)، ومعاقباً عليه، (فينبغي له التيقظ لهذه الأمور [وإنصاف المظلوم ممن ظلمه أميراً كان أو هو مأمور] (٥).

فصل

ومما يتعين على ولي الأمر [كمله الله تعالى] (٦): أن يكون عاقلاً في ملكه شريفاً في نفسه موفياً بعهده، صلباً في دينه، لازماً لصمته، متفكراً في (أمره) (٧)، متدبراً بعقله، شفوqاً على رعيته، متيقظاً لعيوب نفسه، همتة (انبعاث الفكر) (٨) في عواقب (نفسه) (٩)، متأنياً في أموره، مستعمل الرفق في سائر أفعاله، وليس له أن يغضب؛ لأن الغضب مع القدرة يؤدي إلى السرف في الانتقام، ويعقب الندامة، وليس له أن يبخل؛ لأنه لا يخشى انقطاع (مدد) (١٠) الأموال، وإن البخل في الملوك من أكبر العيوب.

(١) ليست في (د).

(٢) من (د).

(٣) من (د).

(٤) ليست في (د).

(٥) ما بين القوسين ليست في (د)، و (ص).

(٦) من (ص).

(٧) في (د) رأيه.

(٨) في (د) التفكير.

(٩) في (ص) أموره.

(١٠) ليست في (د).

قال رسول الله ﷺ : " البخيل بعيد من الله ، بعيد من الناس ، بعيد من الجنة . قريب من النار [والكريم (قريب من الله ، قريب من الناس) ^(١)] ، قريب من الجنة . بعيد من النار] ^(٢) ^(٣) .

وينبغي أن لا يكذب ؛ (لأنه) ^(٤) لا يقدر أحد أن يكرهه على شيء ، وليس له أن يحسد [أحداً] ^(٥) إلا من تقدمه من الملوك بحسن التدبير وإصابة الرأي وصحة السياسة .

ولا يطمع في استقامة العالم ما لم يبدأ بتقويم الخاصة ، وأن يكون (حذره) ^(٦) من المقربين فوق حذره من المتباعدين .

ولا يغتر بثناء الناس عليه فربما كان ذلك (عن) ^(٧) هوى ، فإذا سمع من يثني عليه (فليقل) ^(٨) : " اللهم اغفر لي ما لا يعلمون ، واجعلني خيراً مما يظنون " ^(٩) .

(١) ما بين القوسين من (ص) .

(٢) من (د) .

(٣) أخرجه الترمذي (٢٠٨٨) ، كتاب الأدب ، باب ما جاء في السخاء ، والعقيلي في الضعفاء (١١٧/٢) .

قال الترمذي : قال أبو عيسى : هذا حديث غريب لا نعرفه من حديث يحيى بن سعيد عن الأعرج عن أبي هريرة إلا من حديث سعيد بن محمد ، وقد خولف سعيد بن محمد في رواية هذا الحديث عن يحيى بن سعيد ، إنما يروى عن يحيى بن سعيد عن عائشة شيء مرسل . وقال العقيلي رحمه الله تعالى : ليس لهذا الحديث أصل من حديث يحيى ولا غيره .

(٤) في (د) رأيه .

(٥) من (د) .

(٦) في (د) وزيره وهو تصحيف .

(٧) في (د) من .

(٨) في (د) فيقول .

(٩) هو نص حديث أخرجه البخاري في الأدب المفرد (٧٦١) وغيره بإسناده صحيح . كما قال شيخ الألباني رحمه الله تعالى في صحيح الأدب المفرد (٧٦١) .

وينبغي أن لا يستغني بتدبير يومه عن تدبير غده ، والحذر كل الحذر أن يفتنه الملك ، ونوم الزمان فإذا وجب الحد على أحد أو التعزير فليقم (عليه ذلك) ^(١) بقدر الذنب ، لا بحسب هوى النفس ، ولا يعمل [في ذلك] ^(٢) بالغضب ، (فإن الملك إذا أقام العقوبة على مستحقها بالغضب أدى ذلك إلى السرف في الانتقام . وإذا تعدد ذلك فقد جار ، وإذا جار فقد تخلى عنه الله تعالى) ^(٣) . وليراع في سائر (أحواله) ^(٤) جانب الشرع الشريف .

(ومما يجب على ولي الأمر العمل به) ^(٥) (عدم) ^(٦) الإصغاء لأول ناقل (ينقل إليه حديثاً فإن عمل بقول أول ناقل قبل الاختبار فقد جار ، وإذا جار تخلى الله عنه) ^(٧) ، (قال عز من قائل في حق كل ناقل) ^(٨) : ﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا إِن جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا ﴾ ^(٩) ، وفي قراءة ﴿ فتثبتوا ﴾ .

ومن المنقول المشهور: التثبت في الأمور ، [أمان] ^(١٠) من المحذور (فيجب التأنى والتثبت) ^(١١) في كل قضية عملاً بقول خالق البرية ، (وأن يفحص عما نقل إليه ، ويستخير متأنياً إلى أن يتضح له الحق ، (فإذا اتضح له الحق عمل في ذلك) ^(١٢) بما هو موافق للكتاب والسنة ، فإن فعل بما هو موافق للكتاب والسنة

(١) في (د) ذلك عليه .

(٢) من (د) ، (ص) .

(٣) ليست في (د) .

(٤) في (د) أفعاله .

(٥) ليست في (د) ، (ص) .

(٦) في (د) وعدم .

(٧) في (د) ، (ص) حديث ينقله إليه .

(٨) في (د) قال الله تعالى .

(٩) سورة الحجرات ، آية رقم (٦) .

(١٠) في (الأصل) : أما ، والمثبت من (د) ، (ص) .

(١١) في (د) فيجب التثبت والتأنى .

(١٢) في (ص) فيعمل به في ذلك .

فقد عمل بالعدل ، (فكان) ^(١) ذلك سبب نجاته من النار يوم تبيض وجوه وتسود وجوه ، ويشد غضب الجبار .

[و] ^(٢) قال علي عليه السلام : عدل السلطان خير من خصب الزمان .

وقال : إمام عادل خير من مطر وابل ^(٣) .

[وليحذر الملك العجلة فإنها ندامة] ^(٤) ، ^(٥) (قال) ^(٦) العارفون : من تعجل (الشيء) ^(٧) قبل أوانه عوقب بحرمانه ، فإن (في) ^(٨) العجلة ندامة وفي الثاني الرشد والسلامة .

ومن استعجل في أمر يريد كان جديراً أن (لا) ^(٩) يناله ، وإن (ناله) ^(١٠) كان جديراً أن لا يدوم له ؛ لأن الخل ملازم العجل ، والتثبت في الأمور حسن ، وفي الملوك أحسن .

والعجلة (بالانتقام) ^(١١) [قبح] ^(١٢) ، (وفي) ^(١٣) الملوك أقبح ، لا سيما في أمر لا يمكن تداركه ، فإن ولي الأمر إذا أمر بأمر تبادر الناس إلى فعله تقريباً

(١) في (ص) فيكون .

(٢) من (ص) .

(٣) هذا الأثر والذي قبله لم أره منسوباً لعلي ، وإنما نسبوه للحكماء ، وانظر بدائع السلك في طبائع الملك لابن الأزرق (٤١) .

(٤) ليست في (ص) .

(٥) ليست في (د) .

(٦) في (د) وقد قال .

(٧) في (د) بشيء .

(٨) ليست في (د) ، (ص) .

(٩) ليست في (د) ، (ص) .

(١٠) في (د) يناله .

(١١) في (د) في الانتقام .

(١٢) في (الأصل) أقبح ، والمثبت من (د) ، (ص) .

(١٣) في (د) ومن .

لخاطره (وإنفاذاً لأمره ، وتوقياً لغضبه) ^(١) ، خصوصاً إذا كان (ولي الأمر) ^(٢)
ممن لا يمكن مراجعته لهوى قام عنده ، (فأدى ذلك لتحرك غضبه) ^(٣) .
قال (النبي عليه الصلاة والسلام) ^(٤) : " العجلة من الشيطان ، والتأني من
الرحمن " ^(٥) .

(١) في (د) وإنفاذاً لأمر غضبه .

(٢) ليست في (د)

(٣) ليست في (د) .

(٤) في (د) صلى الله عليه وسلم .

(٥) أخرجه البيهقي في السنن الكبرى (١٠٤/١٠) ، والحاثر بن أبي أسامة في مسنده (٨٦٨) ،

وأبو يعلى في مسنده (٤٢٥٦) بسند رجاله رجال الصحيح كما قال المنذري في الترغيب
والترهيب (٢٤١٩) .

(فصل في ترك هوى النفس) ^(١)

(وليحذر الملك اتباع هوى النفس) ^(٢) ، (فإن هوى النفس) ^(٣) صدى يعلو على العقل ، فيصدأ فيضل عن الهدى ، فإذا رأى الملك أن هوى النفس غلب على عقله (في) ^(٤) حال حكمه ، (فيترك) ^(٥) الحكم (حين ذلك) ^(٦) ، ويؤخر الحكومة لئلا يوقعه هوى النفس فيما (يخرج به) ^(٧) عن الحق فيضل فيهلك ، ولا ينفعه بعد ذلك الندم ، (فليس له خلاص في ذلك الوقت إلا ترك الحكومة أو القيام من المجلس : لأنه في تلك الحالة لا يطيع مرشداً ، ولا يصغي لناصر .

قال (الحكماء) ^(٨) : لا ترشد تابع هوى النفس عند استيلاء الهوى على عقله : (لأن) ^(٩) الهوى قهره (فاستولى) ^(١٠) عليه الشيطان فصار كالبحر في هيجانه ، فنشأ الغضب الذي يخرج به عن الحد ، فصار أسير النفس والهوى .

قال العارفون : ليس الأسير من أسره عداه ، إن الأسير من قهره هو اه فضل هداه ، ولم يصغ للنصيحة من أعلاه ولا من أدناه .

(١) ليست في (د) ، (ص) .

(٢) في (د) فليحذر الملك حين ذلك من اتباع هوى النفس .

(٣) في (د) فهو ، وفي (ص) وهو .

(٤) ليست في (د) .

(٥) في (د) فليترن ، وهو تصحيف .

(٦) في (د) حينئذ .

(٧) في (د) يخرج به .

(٨) في (ص) العارفون بالله .

(٩) في (ص) أن .

(١٠) في (ص) فاستوى .

قال العارفون : تابع هوى النفس عقله محجوب ، ولا يفيد فيه موعظة ولا يقبل النصيحة ؛ لأن الهوى أدى به إلى إثارة الغضب ، فنشأ منه البغي ، فأدى ذلك إلى السرف في الانتقام ، فهلك وهلك [معه] من يناصره ^(١) .

(قال) ^(٢) العارفون بالله [تعالى] ^(٣) : لكل عاثر راحم إلا الباغي لا راحم له ، وما اجتمع الملك والبغي على سرير واحد إلا خلا .

(١) في (ص) من معه .

(٢) في (د) وقد قال .

(٣) من (د) .

(فصل في الرأي وحسن التدبير) ^(١)

اعلم أيها الملك أن الرأي سيف العقل وأمضى السيوف ، ما (بالغ) ^(٢) في إرهاف حده . وأجيد صقله ، فلا [تتصل] ^(٣) مرآة العقل إلا عند اجتماع الحواس الخمس ، وأصفى اجتماعها وأمكنه عند اجتماع الحواس الخمس ، وأصفى اجتماعها وأمكنه عند هدأة الليل فإن كل رأي لا يتمخض به الفكر ليلة كاملة وإلا فهو كمولود ولد لغير تمام ، [وأفضل ما أجاد الفكر في حندس الليل] ^(٤) .

قال الحكماء : تتميز الملوك على السوقة بخمس خصال : رحمة تشمل الرعية ، ويقظة تحوطهم ، وصولة تذب عنهم ، وسطوة يرهب بها قلوب الفسقة (منهم) ^(٥) ، وحرمة [ينتهز] ^(٦) بها الفرصة ، فهذه جملة خصال الملوك .

ومما ينبغي للملك العمل به استعمال الرفق في كل قضية ، لتسكن محبته في قلوب (سائر) ^(٧) الرعية .

(قال النبي ﷺ : " القصد والتودد وحسن الخلق جزء من خمسة وعشرين جزءاً من النبوة ") ^(٨) .

(١) ليست في (د) ، (ص) .

(٢) في (د) ، (ص) يدلغ .

(٣) في (الأصل) ينفصل ، والمثبت من (د) وهو الموافق للسياق .

(٤) في (الأصل) وأفضل الرأي في هدأة الليل عقده ، والمثبت من (د) ، (ص) .

(٥) في (د) عنهم .

(٦) في (الأصل) يتميز ، وفي (ص) ينهزم ، والمثبت من (د) وهو الموافق للسياق .

(٧) ليست في (د) ، (ص) .

(٨) ليست في (د) ، (ص) والحديث له أجده .

وقال عليه الصلاة والسلام : " إن أحب عباد الله إلى الله أحسنهم خلقاً " ^(١) .

[وقال ﷺ : " القصد والتودد وحسن الخلق جزء من خمسة وعشرين جزءاً من النبوة] ^(٢) ، وما وضع في الميزان أثقل من خلق حسن ، وإن المتأنى يدرك (بصره) ^(٣) وحسن خلقه ما لا (يدركه) ^(٤) الصائم القائم ، وبحسن الخلق (تنال الرجال) ^(٥) درجة الصديقين " ^(٦) .

(وقد أنشد بعضهم في هذا المعنى شعراً :

قد يدرك المتأنى بعض حاجته وقد يكون مع المستعجل الزلل) ^(٧)

قال العارفون (بالله) ^(٨) [تعالى] ^(٩) : حسن الخلق حسنة لا يضر معها (كثرة) ^(١٠) السيئات ، وسوء الخلق سيئة لا ينفع معها كثرة الحسنات .

وقد امتدح الله نبيه محمد صلى الله عليه وسلم بحسن الخلق من دون سائر المعجزات فقال في الذكر الحكيم ﴿ وَإِنَّكَ لَعَلَىٰ خُلُقٍ عَظِيمٍ ﴾ ^(١١) ، حديث حسن .

(١) أخرجه الحاكم (٨٢١٤) من حديث أسامة بن شريك به مرفوعاً وصححه .

(٢) من (ص) .

(٣) في (د) ببصره .

(٤) في (ص) لم يدرك .

(٥) في (د) يدرك الرجل .

(٦) أخرجه الترمذي (٢٠٠٣) ، كتاب الأدب ، باب ما جاء في حسن الخلق ، وقال أبو عيسى : هذا حديث غريب من هذا الوجه .

(٧) ليست في (د) ، (ص) .

(٨) ليست في (د) .

(٩) من (ص) .

(١٠) ليست في (د) .

(١١) سورة القلم ، آية رقم (٤) .

رواه [الحسن] ^(١) عن [أبي الحسن عن الحسن] ^(٢) : " إن أحسن الحسن الخلق الحسن " ^(٣) .

وقد سأل (قيصر) ^(٤) عظيم الروم (كسرى) ^(٥) أنو شروان : بم دام لك الملك ودانت لك الرقاب ؟

قال : بأربع خصال .

قيل : وما هي ؟

قال : ما أخلفنا (في وعد) ^(٦) ولا وعيد ، ولم نفعل أمراً إلا بعد المشاورة مع ذوي العقول ، (وقربنا ذوي العقول) ^(٧) ، وقربنا ذوي الأصول ، وقدمنا على الشباب الكهول ، ولم نعاقب إلا على قدر الذنب لا بحسب (غضبنا) ^(٨) .

(١) من (د) ، (ص) وقد تحرفت فيهما إلى الحسين ، والمثبت هو الصواب والموافق لمصادر التخریج .

(٢) في (الأصل) و(د) و(ص) : أبي الحسن عن جد الحسن ، والمثبت هو الصواب والموافق لمصادر التخریج .

(٣) أخرجه القضاعي في مسند الشهاب (٩٨٦) ، بسند فيه الحسن بن دينار ، وهو ضعيف . انظر المجروحين لابن حبان (٢٠١/١) .

(٤) قيصر : اسم علم على من يتولى أمر الروم في ذلك العصر ، وليس اسم رجل كما توهم البعض ، انظر لسان العرب (٩٥/٥) .

(٥) كسرى اسم زعيم الفرس في ذلك العصر ، انظر لسان العرب (٣٩/٥) ، وهو الذي كان بينه وبين قيصر الملاحم المشهورة والتي انتهت بنصر الروم النصارى على الفرس المجوس كما أخبر الله تعالى المسلمين في قوله أول سورة الروم : ﴿ الم * غَلَبَتِ الرُّومُ * فِي أَدْنَى الْأَرْضِ وَهُمْ مِّنْ بَعْدِ غَلَبِهِمْ سَيَغْلِبُونَ فِي بَضْعِ سِنِينَ لِلَّهِ الْأَمْرُ مِنْ قَبْلُ وَمِنْ بَعْدِ وَيَوْمَئِذٍ يَفْرَحُ الْمُؤْمِنُونَ * بَنَصْرِ اللَّهِ يَنْصُرُ مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الرَّحِيمُ * وَعَدَ اللَّهُ لَا يُخْلِفُ اللَّهُ وَعْدَهُ وَلَكِنْ أَكْثَرُ النَّاسِ لَا يَعْلَمُونَ ﴾

(٦) في (د) بوعد .

(٧) ليست في (د) .

(٨) في (د) الغضب .

فلما بلغ قيصر ذلك اهتز طرباً وقال : من كانت هذه سياسته دامت
رياسته .

وأوصى بعض الملوك ولده وقال : يا بني عامل الرعايا بالعدل والرغبة
والرهبة ، وساوي في ذلك بين الصديق والعدو ، فإن الولاية لا تتم إلا لمن له مال
مبذول ، وسيف مسلول ، وعدل تطمئن (به) ^(١) القلوب .

قال النبي ﷺ : " بعثت باللين والسيف ، فوجدت اللين أقطع من
السيف " ^(٢) .

قال معاوية ؓ ^(٣) : " لا أضع سيفي حيث يكفيني سوطي ، ولا أضع
سوطي ^(٤) [حيث] ^(٥) يكفيني لساني " .

ومما أنزل [الله] ^(٦) في التوراة : عالم لا يعمل بما علم هو وإبليس سوى ،
وإمام لا يعدل في رعيته هو وفرعون سوى ، (وفقير يتواضع لغني فهو والكلب
سوى ، وامرأة لا تلزم قعر بيتها هي والأمة سوى " .

دخل رجل على نبي الله يوسف الصديق عليه السلام فوجده يبكي بكاءً
شديداً فقال : ما يبكيك يا نبي الله ؟
قال : خوف القيامة أبكاني .

(١) في (د) ، (ص) إليه .

(٢) لم أجده .

(٣) هو الصحابي الجليل معاوية بن أبي سفيان بن حرب ، أسلم عام الفتح ، وقد كان النبي ﷺ تزوج
أخته أم المؤمنين أم حبيبة رضي الله عنها ، تولى الخلافة بعد الحسن بن علي بتنازل منه ،
وتوفي سنة ٦٠ هـ .

انظر ترجمته في : طبقات ابن سعد (٣/٣٢) ، وطبقات خليفة (٥١) ، وتاريخ بغداد
(٢٠٧/١) ، وتاريخ الإسلام (٣١٨/٢) ، والبداية والنهاية لابن كثير (٢٠/٨) .

(٤) أخرجه ابن عساكر في تاريخه (١٧٢/٥٩) .

(٥) في (الأصل) حتى ، والمثبت من (د) .

(٦) من (د) .

فجاءه جبريل عليه السلام فقال : أرجو أن تنجو بشيئين يا ابن الكرام ،
كانت خراباً بالجور والغلاء ، فرددتها عامرة بالعدل والرخاء ، فرخصت وخصب
الكر (١) .

وعذر السلطان نجاة من النار ، قال رسول الله ﷺ : " أوحى الله تعالى إلى
داود عليه السلام : يا دواد قل للظلمة لا يذكروني فإن من ذكرني ذكرته إلا
الظالم إذا ذكرني لعنته ألا لعنة الله على الظالمين " (٢) .

ولقد خوف الله تعالى آدم من الظلم وهو في الجنة فقال عز من قائل :
﴿ وَلَا تَقْرَبَا هَذِهِ الشَّجَرَةَ فَتَكُونَا مِنَ الظَّالِمِينَ ﴾ (٣) .

وقال تعالى : ﴿ مَا لِلظَّالِمِينَ مِنْ حَمِيمٍ وَلَا شَفِيعٍ يُطَاعُ ﴾ (٤) (٥) .

(١) لم أجده .

(٢) أخرجه ابن أبي شيبة في المصنف (٣١٨٩٥) ، والبيهقي في شعب الإيمان (٧٤٨٣) ، وابن أبي
عاصم في الزهد (٣٧) من حديث الأعمش عن المنهال عن عبد الله بن الحارث عن ابن عباس
قال : .. فذكره موقوفاً ، ولم أر أحداً أخرجه مرفوعاً إلى النبي ﷺ كما أشار المصنف رحمه
الله تعالى .

(٣) سورة البقرة ، آية رقم (٣٥) .

(٤) سورة غافر ، آية رقم (١٨) .

(٥) ليست في (د) ، (ص) .

فصل

فيما جاء في المشورة والاستشارة

ومما يجب ويتعين على ولي الأمر هو أن كل أمر أراد إنفاذه فلا بد أن يقدم فيه الاستشارة ، ثم المشاورة اقتداء بالسنة .

(قال رسول الله ﷺ : " ما خاب من استخار ، ولا ندم من استشار ")^(١) (٢) .

قال الله تعالى لنبيه محمد [صلى الله] ^(٣) عليه وسلم وهو أكمل الخلق خلقاً وأتمهم عقلاً : ﴿ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ ﴾ ^(٤) .

وقد امتدح الله تعالى الصحابة رضوان الله تعالى عليهم بقوله تعالى : ﴿ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ ﴾ ^(٥) فانظر أيها الملك إذا كان سيد المرسلين والآخرين أمره الله عز وجل بمشاورة أصحابه وهو أكمل خلق الله فكيف تنجح أنت يا ملك الزمان ، أو يتم لك مراد إذا فعلت أمراً بلا مشورة (ولا استشارة) ^(٦) ، مع أنه لا يخفأك قوله تعالى : ﴿ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ﴾ ^(٧) .

(١) ليست في (د) ، وفي (ص) وضعها بعد آية الشورى

(٢) أخرجه الطبراني في الأوسط (٦٦٢٧) ، والصغير (٦٦٢٧) ، والقضاعي في مسند الشهاب (٧٧٤) ، باب ما خاب من استخار .

والحديث لا يصح فعبد القدوس وأباه ضعيفان ، وضعفه بهما الهيتمي في المجمع (٣٦٥/٦) .

(٣) من (د)

(٤) سورة آل عمران ، آية رقم (١٥٩) .

(٥) سورة الشورى ، آية رقم (٣٨) .

(٦) في (د) واستشارة .

(٧) سورة الحشر ، آية رقم (٧) .

[وكان] ^(١) رسول الله ﷺ يقول لأصحابه : " أشيروا علي " ^(٢) .

ومما حصل به النجاة من القتل بالمشورة ما روى الشعبي ^(٣) قال : لما أمر الحجاج ^(٤) بقتل (شيعة) ^(٥) علي بن أبي طالب ^(٦) فقتل وسفك وفعل في الناس ما جاوز حد الانتقام وكنت من المقبوض عليهم للقتل وما (شككت) ^(٧) إلا إنه سيقتلني ، فصرت (ذاهل) ^(٨) العقل لا أدري بما أعذر له .

(١) في (الأصل) قال ، والمثبت من (د) و(ص) .

(٢) أخرجه البخاري (٤٤٧٩) ، كتاب التفسير ، باب قوله : ﴿ إِنَّ الَّذِينَ يُحِبُّونَ أَنْ تَشِيعَ الْفَاحِشَةُ فِي الَّذِينَ آمَنُوا لَهُمْ عَذَابٌ أَلِيمٌ فِي الدُّنْيَا وَالْآخِرَةِ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ ﴾ * وَلَوْ لَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ وَأَنَّ اللَّهَ رَوْوْفٌ رَحِيمٌ * وَلَا يَأْتِلُ أُولُوا الْفَضْلِ مِنْكُمْ وَالسَّعَةِ أَنْ يُؤْتُوا أُولِي الْقُرْبَى وَالْمَسَاكِينَ وَالْمُهَاجِرِينَ فِي سَبِيلِ اللَّهِ وَلْيَعْفُوا وَلْيَصْفَحُوا أَلَا تُحِبُّونَ أَنْ يَغْفِرَ اللَّهُ لَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ ﴾ ، ومسلم (٢٧٧٠) ، كتاب التوبة ، باب في حديث الإفك وقبول توبة القاذف ، وهو قطعة من حادثة الإفك .

(٣) هو عامر بن شراحيل الشعبي من أئمة الإسلام والسنة ، توفي سنة ١٠٠ هـ ، وقيل ١٠٣ هـ . انظر ترجمته في : طبقات ابن سعد (٢٤٦/٦) ، وطبقات خليفة (١١٤٤) ، والمعارف (٤٤٩) ، وتذكرة الحفاظ (٧٤/١) وغيرها .

(٤) هو الأمير الظالم الغاشم الحجاج بن يوسف الثقفي ، ولاه عبد الملك بن مروان إمرة العراق ، فأفسد في الأرض ، وقتل الصالحين ، ولم ينج منه كبير أحد ، وتوفي سنة ٩٥ هـ ، وانظر ترجمته في : المعارف (٣٩٥) ، وتاريخ البخاري (٣٧٣/٤) ، وتاريخ ابن عساكر (١٠٥/٤) ، وتاريخ الإسلام (٣٤٩/٣) وغيرها .

(٥) في (د) وشيية .

(٦) هو الخليفة الراشد الرابع الإمام أبو الحسين حيدرة ابن عم النبي ﷺ ، وزوج قرّة عينه فاطمة بنت رسول الله ﷺ ، وأحد العشرة المبشرين بالجنة ، وتوفي سنة ٤٠ هـ .

انظر ترجمته في : السير ، جزء الصحابة (٢٢٥) ، وتهذيب الكمال (٤٧٢/٢٠) وغيرها .

(٧) في (د) شكيت .

(٨) في (د) إلى أهل .

وكان كاتب الحجاج صديقاً لي فقال لي : [إذا أحضرك في غد ووقفت] ^(١)
بين يديه فاعتذر له (فلعلك تنجوا منه) ^(٢) .

فحدثتني نفسي بأن (أخترق) ^(٣) له (اعتذاراً يقرب) ^(٤) من عقله ، فلما كان
الليل دبرت (له) ^(٥) حيلاً واختلقت له أموراً أعتذر إليه بها ، لعل ^(٦) أن يقبلها ،
وما ظننت إلا أنه سيقتلني .

فلما أصبحت طلبني [فوقفت] ^(٧) على أقوام لي [ذوي عقول] ^(٨) (فالتجأت
إليهم) ^(٩) وقلت [لهم] ^(١٠) : (ما تشيرون) ^(١١) علي (في أمري) ^(١٢) ، فما أظن هذا
الرجل إلا أنه سيقتلني (الساعة) ^(١٣) .

فاتفقت أراؤهم على أن الصدق أولى ما نطقت به (عندهم) ^(١٤) ،
(فاغتنمت) ^(١٥) ذلك ثم قمت من عندهم ، فلما صرت بين يديه ، نظر إلي كالأسد

(١) في (الأصل) حضر في غد غزراً ، فإذا وقفت ، وهذا تحريف شديد جداً ، والمثبت هو الصواب
من (د) ، (ص) .

(٢) في (د) ، (ص) فعساك تنجو .

(٣) في (ص) اعتذر .

(٤) في (د) ، (ص) اعتذارات تقرب .

(٥) ليست في (د) ، (ص) .

(٦) في (د) لعله .

(٧) في (الأصل) فطفقت ، والمثبت من (د) ، (ص) .

(٨) في (الأصل) ، (ص) إلى عقولهم اعتقاد ، والمثبت من (د) .

(٩) ليست في (د) .

(١٠) من (د) .

(١١) في (د) أشيروا ، وفي (ص) فلتشيرون .

(١٢) ليست في (د) .

(١٣) ليست في (د) .

(١٤) ليست في (د) .

(١٥) ليست في (د) .

الغضببان فقلت : أصلح الله الأمير إن الاعتذار بغير ما (يعلمه) ^(١) الله تعالى [غير صحيح ، وإن الحق لقبيح عند من هو دونك وأيم الله لا أقول في مقامي] ^(٢) [إله] ^(٣) الحق والصدق ، ووالله لقد جهزنا (وحرصنا) ^(٤) فما كنا بالأقوياء (الفجرة) ^(٥) ، ولا بالأصدقاء البررة ، ولقد نصرك الله علينا ، وأظفرك بنا ، فإن سطوت فبذنوبنا ، وإن عفوت فبحلمك (علينا) ^(٦) .

فلما سمع الحجاج كلامه سكن غضبه ، وقال : لقد عفوت عنك لصدقتك ، ولأنت الآن والله أحب إلينا ممن يدخل علينا ويعتذر بأعذار لا تقبلها عقولنا ، ولكن حيث صدقتنا فلقد عفونا عنك فطب نفساً ، وأفلح رشداً .

قال الشعبي : فخرجت آمنا من عنده على نفسي وأهلي ببركة المشورة ^(٧) .

وقال بعضهم : لا معين أقوى من المشورة ، ولا عول أنجح من العقل .
قال الإسكندر ^(٨) : خير [الملوك] ^(٩) من بدل السيئة الحسنة [وشر الملوك من بدل الحسنة بالسيئة] ^(١٠) .

(١) في (د) يعلم .

(٢) من (د) .

(٣) في (الأصل) إنه ، والمثبت من (د) .

(٤) في (د) وحرصنا .

(٥) في (د) ، (ص) النجدة .

(٦) ليست في (د) ، (ص) .

(٧) انظر القصة بشيء من التفصيل في سير أعلام النبلاء (٣٠٣/٤) .

(٨) من ملوك الدنيا العظام الكبار ، ودانت له الأمم بالطاعة ، وكان يروم فتح العالم لكنه توفي شاباً في العقد الثالث من عمره ، وكان قبل ميلاد المسيح عليه السلام ، ولم أر له ترجمة مفصلة ، غير أن كتب الأدب والملاحم لا تكاد تخلو من ذكر له .

(٩) من (ص) .

(١٠) من (د) .

ومما (يجب) ^(١) على ولي الأمر التفقد في كل [حين] ^(٢) لأحوال المسجونين والتبصر في جناياتهم ، والفحص عن ما سجنوا (عليه) ^(٣) ، فمن استحق أن يخلى سبيله أطلقه ، ولا يتبع في الإعراض عنهم أفعال من [تقدمه] ^(٤) فيقر أمرهم على ما هم عليه بل لابد من الفحص عن أحوالهم (والتبصر في أمرهم) ^(٥) ، ولا يصغى (لقول) ^(٦) من يقول : ذنبهم في رقبة من حبسهم ، [فإن] ^(٧) هذا لا (خلاص لك منه عند الله) ^(٨) ، إنما قللك الله تعالى [هذه] ^(٩) الأمانة ^(١٠) لتتظر في أحوال الرعايا بما فيه الخلاص يوم (القصاص) ^(١١) يوم يسأل كل راع عن رعيته .

ولا تدع الناس هملاً لأنك (لو) ^(١٢) تركت الناس هملاً وخلوت بنفسك تتعبد وتتهجد لكنت مسيئاً (بترك) ^(١٣) الواجب الذي افترضه الله عليك من النظر في أحوال الرعايا (والتفقد في أحوالهم) ^(١٤) ، فإن المطلوب منك إنما هو التصدي

(١) في (د) يتعين ، في (ص) يجب ويتعين .

(٢) في (الأصل) خبر ، والمثبت من (د) و(ص) .

(٣) في (د) ، (ص) بسببه .

(٤) في (الأصل) تقدم ، والمثبت من (د) ، (ص) .

(٥) ليست في (د) .

(٦) في (ص) لمن يقول .

(٧) من (د) ، (ص) .

(٨) في (د) يخلصه عند الله تعالى .

(٩) من (د) و (ص) .

(١٠) زاد في (د) إلا .

(١١) في (د) القيامة .

(١٢) في (د) إذا .

(١٣) في (د) ، (ص) بتركك .

(١٤) ليست في (د) .

لذلك ، فإذا فعلت ذلك (مبتدئاً به مبادراً إليه) ^(١) ، وضمت (لذلك) ^(٢) أعمالاً صالحة أثبت وأجرت ، وكنت من الفائزين .

(فإذا رأيت في أمرهم وتبصرت في أحوالهم وما سجنوا عليه ، فمن استحق الإطلاق منهم خلى سبيله ، و من وجب عليه تأديب فقط فلا تأديب له أعظم من السجن الذي ناله ، ومن وجب عليه قطع قطع من غير قتل فإنه أهيب وأرهب ، فإنه كلما روي هذا المقطوع متحسراً على بعض أعضائه وقع الرعب في قلب كل من يراه ، ويقال : ما نال هذا من هذا البلاء إلا بارتكاب الفعل القبيح كالسرقة ونحوها ، فلا يتجرأ أحد أن يفعل كفعله فيصير مثله بخلاف إذا قتل مات وغاب فلا يرى بعد ذلك فانتسي فعله القبيح فلا يحصل الرهبة ولا الخوف ، فإذا بقي مقطوعاً كل من رآه يتعوذ من شر ما رأى) ^(٣) .

وإذا وجب الحد على أحد (أقيم عليه الحد) ^(٤) ، (وإذا) ^(٥) وجب [عليه] ^(٦) القتل قتل بقاعدة الشرع الشريف ، لا بالتشويه الشنيع العنيف ، إلا إذا كان لازماً كما فعل رسول الله ﷺ [بالمعتدين بابل الصدقة ، فقد مثل بهم رسول الله ﷺ] ^(٧) دون غيرهم ، (قال الله تعالى : ﴿ فَلَا يُسْرِفُ فِي الْقَتْلِ إِنَّهُ كَانَ مَنْصُوراً ﴾ ^(٨) أي لا يتجاوز فيه الحد .

(١) ليست في (د) .

(٢) في (د) إليه .

(٣) ليست في (د) .

(٤) في (د) حد .

(٥) في (د) أو .

(٦) من (د) .

(٧) من (د) ، (ص) .

(٨) سورة الاسراء، آية رقم (٣٣) .

وقال رسول الله ﷺ : " إذا قتلتم فأحسنوا القتلة ، وليحد أحدكم شفرته ،
وليرح ذبيحته " (١) (٢) .

وبكل حال يجب اتقاء الدم وعدم التجرؤ بالقتل ، فإنه أول ما يقضى (بين
الناس يوم القيامة) (٣) في الدماء ، فلا ينبغي التجرؤ بسرعة الإقدام على قتل أحد
من خلق الله تعالى ولو بحق ، بل لابد من التأني والتثبت في الأمور ، فقد قال
رسول الله ﷺ : " لزوال الدنيا أهون عند الله من قتل رجل مسلم " (٤) .

وقال عليه الصلاة والسلام : " ادروا الحدود (عن المسلمين) (٥) ما
استطعتم . فإن وجدتم للمسلم مخرجاً فخلوا سبيله ، فإن الإمام (لأن) (٦) يخطيء
في العفو خير من أن يخطيء في العقوبة " (٧) (٨) .

[و] (٩) قال ﷺ : " لا يحل دم امرئ مسلم إلا بإحدى ثلاث : رجل زنى بعد
إحصانه ، أو ارتد بعد إسلام ، أو قتل نفساً بغير حق فيقتل به " (١٠) .

(١) ليست في (د) .

(٢) أخرجه مسلم في صحيحه (١٩٥٥) ، كتاب الصيد والذبائح وما يؤكل من لحمه ، باب الأمر
بإحسان الذبح والقتل وتحديد الشفرة .

(٣) في (د) يوم القيامة بين الناس .

(٤) أخرجه الترمذي (١٣٩٥) ، كتاب الديات ، باب ما جاء في تشديد قتل المؤمن ، والنسائي في
السنن الكبرى (٣٤٤٩) ، كتاب المحاربة ، وقال الترمذي في العلل الكبير (٣٩٢) : الصحيح
عن عبد الله بن عمرو موقوف .

(٥) ليست في (د) .

(٦) في (ص) أن .

(٧) ليست في (د) .

(٨) أخرجه الترمذي (١٤٢٤) ، كتاب الحدود ، باب ما جاء في درء الحدود ، وإسناده
ضعيف ، فيه يزيد بن أبي زياد .

(٩) من (د) .

(١٠) أخرجه البخاري (٦٤٨٤) ، كتاب الحدود ، باب قول الله تعالى : ﴿ أَنْ النَّفْسَ بِالنَّفْسِ ...
الآية ﴾ ، ومسلم (١٦٧٦) ، كتاب الحدود ، باب ما يباح به دم المسلم .

[و] ^(١) قال الله عز وجل : ﴿ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ﴾ ^(٢) .

[و] ^(٣) قال (عز من قائل) ^(٤) : ﴿ وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَغَضِبَ اللَّهُ عَلَيْهِ وَلَعَنَهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا ﴾ ^(٥) .

(قال تعالى : ﴿ وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا يُضَاعَفْ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخْلُدْ فِيهِ مُهَانًا ﴾ ^(٦) .

قال ﷺ : " والذي نفسي بيده ما عمل على وجه الأرض عمل قط أعظم عند الله بعد الشرك من سفك دم حرام ، والذي نفسي بيده إن الأرض لتعج إلى الله تعالى بعد ذلك عجيلاً تستأذنه فيمن عمل ذلك على ظهرها لتخسف به " ^(٧) .

قال ﷺ : " من أعان على قتل مسلم بشطر كلمة لقي الله يوم القيامة مكتوب على جبهته آيس من رحمة الله " ^(٨) .

(١) من (د) .

(٢) سورة الإسراء ، آية رقم (٣٣) .

(٣) من (د) .

(٤) في (د) تعالى .

(٥) سورة النساء ، آية رقم (٩٣) .

(٦) سورة الفرقان ، الآيتان رقم (٦٨، ٦٩) .

(٧) أخرجه أبو نعيم في الحلية (١٩٠/٢) ، والديلمي في مسنده (٧٠٨٧) .

وهذا حديث لا يصح ، فعبد العزيز بن يحيى المدني كذبه إبراهيم بن المنذر الحزامي . وانظر الميزان (٣٧٥/٤) .

(٨) أخرجه أبو يعلى في مسنده (٥٩٠٠) ، والبيهقي في السنن الكبرى (١٥٦٤٣) ، باب تحرير القتل في الفتن ، وإسناده ضعيف ، فيزيد بن أبي زياد ضعيف . وانظر الميزان (٢٤٣/٧) .

قال ﷺ : " قتل المؤمن عند الله أعظم من زوال الدنيا " (١) (٢) .

واعلم أيها الملك (رعاك الله) (٣) إن الإنسان بنيان الله تعالى ، ألا ترى أن الله تعالى يغضب إذا انتهكت حرماته ، ولا شيء أعظم من حرمة المسلم عند الله [تعالى] (٤) ، فإذا وجب على أحد قود أو قتل ، فإذا وكل ولي الأمر ذلك إلى حكم الشرع الشريف ، وما حكم به الشرع الشريف أمر ولي الأمر بإنفاذه حين ذاك على موجب الشرع الشريف ، فإن ذلك أخلص له عند الله تعالى يوم يؤخذ للمظلوم حقه ممن ظلمه ، يوم يقضي الله بين الأنام ويؤخذ بالنواصي والأقدام ، فكل هذه الأمور يجب فيها مراعاة الحدود بحيث لا يخرج عن المعهود ، قال سيد السادات : " ادروا الحدود بالشبهات " (٥) (٦) .

واعلم أن لا أحد أكرم من الله ولا أرحم ، ولا أعلم بأمور مخلوقاته ، ولا أحكم [فمن استحق العفو لا يضرب] (٧) [ومن] (٨) استحق (أن يضرب) (٩) لا يقطع (ولا ينكب) (١٠) ، ومن استوجب القطع لا يقتل ، ومن وجب عليه حد من حدود الله تعالى لا (يمهل) (١١) ، فينبغي لولي الأمر التيقظ لمثل هذه الأمور ، (فلا يشغله تيه المملكة ولهو الحكام عن التيقظ لمثل هذه المواد ، ولا يظن أن هذا هين فإنه عظيم عند الله تعالى .

(١) ليست في (د) ، (ص) .

(٢) تقدم تخريجه .

(٣) ليست في (د) ، (ص) .

(٤) من (د) ، (ص) .

(٥) ليست في (د) ، (ص) .

(٦) تقدم تخريجه (ص ٥٠) .

(٧) من (د) ، (ص) .

(٨) في (الأصل) فمن ، والمثبت من (د) و(ص) .

(٩) في (د) الضرب .

(١٠) ليست في (د) ، (ص) .

(١١) في (ص) ليهمل .

وأول ما يقضى بين الخلائق في الدماء يوم القيامة ، فيجب التحري ما أمكن (١) وليعلم ولي الأمر [أيقظة لله تعالى] (٢) أن مدة الولاية يسيرة جداً ، (وهجوم الموت) (٣) أسرع إلى الإنسان من الحياة ، فلا يغتر بزينة [الحياة] (٤) الدنيا ، فإنها سريعة الزوال ، وعن قريب يصير منها إلى الارتحال ، ويقدم [بأعماله] (٥) على ذي الجلال ، [فلا يخرب أخراه باتباع هواه] (٦) [و] (٧) قال علي كرم الله وجهه : يؤتى بالولاية يوم القيامة فيقال لهم : (أنتم رعاة خليقتي وخزنة ملكي في أرضي) (٨) ثم يقول لأحدهم : لم ضربت عبدي فوق الجلد الذي أمرت ؟ فيقول : يارب لأنهم عصوني وخالفوك .

[فيقول الرب جل جلاله : لا ينبغي أن يسبق غضبه غضبي ، ثم يقول للآخر : لم عاقبت عبدي بأقل من الجلد الذي أمرت ؟ فيقول يارب رحمتهم] (٩) ، فيقول الرب جل جلاله : كيف تكون (أرحم) (١٠) مني ؟ خذوا الذي زاد والذي نقص فاحشوا بهما جهنم" (١١) .

(١) ليست في (د) ، (ص) .

(٢) في (الأصل) يقظه الله تعالى ، والمثبت من (د) ، (ص) .

(٣) في (د) والموت .

(٤) من (د) ، (ص) .

(٥) في (الأصل) بأعمالنا ، والمثبت من (د) و(ص) .

(٦) في (الأصل) فلا تخرب لهواك بنا اتباع هواه ، والمثبت من (د) ، (ص) .

(٧) من (د) ، (ص) .

(٨) في (د) أنتم كنتم رعاة الله على خلقه وخزنة ملكه في أرضه .

(٩) من (د) .

(١٠) في (د) أكرم .

(١١) لم أجده .

وقال رسول الله ﷺ : " ما من رجل ولي أمر عشرة إلا جيء به يوم القيامة ويداه مغلولتان إلى عنقه (يرفل في قيوده) ^(١) ، فإن كان عمله صالحاً (فك الغل منه) ^(٢) ، وإن كان (عمله) ^(٣) سيئاً زيد عليه غل آخر " ^(٤) .

(قال) ^(٥) رسول الله ﷺ : " يؤتى بالوالي يوم القيامة ويداه مغلولتان إلى عنقه يرفل في قيوده ، حتى إذا كان على جسر جهنم أمر الله تعالى الجسر (فانقض انقضاضة) ^(٦) (خرج) ^(٧) كل عظم من مكانه ، ثم يأمر الله (العظام) ^(٨) أن ترجع إلى أماكنها [ثم يسأله] ^(٩) ، فإن كان مقسطاً عادلاً غفر له وأعطاه كفلين من رحمته ، وإن كان قاسطاً جائراً خسف الله به (الجسر) ^(١٠) فهو في النار سبعين خريفاً " ^(١١) .

(١) ليست في (د) .

(٢) في (د) فك عنه غله .

(٣) ليست في (د) .

(٤) أخرجه أحمد (٢٢٣٥٤) ، والحاثر في مسنده (٥٩٩ زوائد الهيتمي) ، والطبراني في المعجم الكبير (٧٧٢٠) .

قال المنذري في الترغيب والترهيب (٣٢٨٨) : رواه ثقات إلا يزيد بن أبي مالك .

(٥) في (د) وقال .

(٦) في (د) فانقض به انتفاضة .

(٧) في (د) يخرج .

(٨) في (ص) الأعضاء .

(٩) في (الأصل) يشاء الله والمثبت من (د) ، (ص) .

(١٠) ليست في (د) .

(١١) أخرجه عبد بن حميد في مسنده (٤٣٠) ، وإسناده فيه جهالة لمكان الرجل من أهل الشام .

(قال) ^(١) رسول الله ﷺ : " خمسة (قد غضب) ^(٢) الله عليهم [يوم القيامة] ^(٣) وإن شاء أمضى غضبه ويصيرهم إلى النار : أمير قوم يأخذ حقه منهم ، ولا ينصفهم من نفسه ، ولا يرفع الظلم عنهم ، ورئيس قوم يطيعونه وهو لا يساوي بينهم ، ويحكم بالميل والمحابة ^(٤) ... إلى آخر الحديث " ^(٥) .

(قال) ^(٦) ﷺ : " كل راع لا يرفق برعيته لا يرفق الله به يوم القيامة " ^(٧) .

فعليك أيها الملك (التيقظ) ^(٨) لهذه المواد ، والعمل بالعدل بين العباد ، وبذل الجد (والجهد) ^(٩) في عمران القرى والبلاد ، وقمع المعتدين [من] ^(١٠) أهل (البدع) ^(١١) والعناد ، وإظهار السطوة (والمرهبة لأهل البغي والفساد) ^(١٢) .

-
- (١) في (د) وقال .
- (٢) في (د) يغضب وفي (ص) غضب
- (٣) من (د) .
- (٤) في (الأصل) : والمحياة ثم علق عليها في الحاشية : لعلها والمحابة ، وهو الصواب والموافق لباقي النسخ ولذا أثبتناه .
- (٥) لم أجده .
- (٦) في (د) وقال .
- (٧) لم أجده بهذا اللفظ ، وفي معناه ما أخرجه مسلم (١٨٢٨) ، كتاب الإمارة ، باب فضيلة الإمام العادل وعقوبة الجائر والحث على الرفق بالرعية والنهي عن إدخال المشقة عليهم ، من حديث عائشة عن رسول الله ﷺ أنه قال : " اللهم من ولي من أمر أمتي شيئاً فشق عليهم فاشقق عليه ، ومن ولي من أمر أمتي شيئاً فرفق بهم فارفق به " .
- (٨) في (د) بالتيقظ .
- (٩) في (د) والاجتهاد .
- (١٠) من (ص) .
- (١١) في (د) البغي .
- (١٢) في (د) على أهل الظلم والفساد .

واعلم أن ربك بالمرصاد فالحذر كل الحذر (أيها الملك) ^(١) أن يفتنك الملك
ونود الزمان .

وإياك والغفلة فكم من غافل (وثق) ^(٢) بغفلته فجاءته (منيته) ^(٣) ، (وفاتته
أمنيته فانتبه من سنة الغفلة يا ملك الإسلام والمسلمين .

وانظر في أحوال من تقدمك من الملوك العادلين فكل إنسان بما كسب
رهين ، والحمد لله رب العالمين) ^(٤) .

قال : شعر :

واحذر سهام [الرعايا] ^(٥) في حندس الظلم	إذا ملكت فكن بالعدل مفتخراً
إجابة بزوال الملك والنعمة	فرب دعوة مظلوم يصادفها
إن [الظلم] ^(٦) على حد من النقم	لا تظلمن إذا ما كنت مقتدراً
فكن فكن شفوفاً بهم كالوالد الرحم	وإن تأمرت يا هذا على بشر
الراحمون بهم في العز والكرم) ^(٧)	(واعمل بما جاء في الأخبار عن ثقة
يدعو عليك وعين الله لم تنم	تتام عيناك والمظلوم منتبها
ترجع إلى حسرة أو نقمة العدم) ^(٨)	(فلا تخالف بما قد قلت في نصحي

(١) ليست في (د) .

(٢) في (د) واثق .

(٣) في (د) ابنه ، وفي (ص) أمنيته ، وكلاهما تحريف .

(٤) ليست في (د) . (ص) .

(٥) في (الأصل) . (د) الدجى ، والمثبت من (ص) .

(٦) في (الأصل) الظلم . والمثبت من (ص) .

(٧) ليست في (د) . (ص) .

(٨) ليست في (د) . (ص) .

يقول الله عز وجل : " ابن آدم ، اعدل كما تحب أن يعدل فيك " (١) .

(قال) (٢) رسول الله ﷺ : " اتقوا دعوة المظلوم فإنها تحمل على الغمام ،
(يقول الله : وعزتي وجلالي) (٣) : لأنصرنك ولو بعد حين " (٤) .

فعليك أيها الملك (بالاهتمام) (٥) بمراقبة الملك العلام ، ولا يشغلك عن ذلك
ما أنت فيه من الأحكام .

واعلم أن (أعمالك) (٦) تعرض عشيه (٧) كل يوم على صاحب (الجناب) (٨)
الرفيع حضرة سيدنا رسول الله ﷺ [وشرف ومجد وعظم] (٩) فانظر ماذا يكون فيه
سرور نبيك ، إذا عرض عليه عملك الصالح .

(١) لم أجده مسنداً ، وقد عزاه الزرقاني في شرح موطأ مالك (٤٣٤/٣) إلى قتادة بن دعامة
السدوسي بدون إسناد .

(٢) في (د) وقال .

(٣) في (د) وينظر إليها الرب ويقول وعزتي وجلالي .

(٤) أخرجه ابن خزيمة في صحيحه (١٩٠١) ، كتاب الصوم ، باب ذكر استجابة الله عز وجل دعاء
الصوام إلى فطرهم من صيامهم جعلنا الله منهم ، وابن حبان (٨٧٤) ذكر البيان بأن دعوة
المظلوم تستجاب له لا محالة وإن أتى عليها البرهة من الدهر ، والحديث صححه الشيخ
الألباني ، صحيح الجامع (١١٧) .

(٥) ليست في (د) ، (ص) .

(٦) في (ص) الأعمال .

(٧) ليست في (د) ، (ص) .

(٨) في (ص) الحساب .

(٩) من (ص) .

وعليك يا ملك الزمان بتقريب العلماء العاملين ، وحفظ رأي العقلاء
الناصحين ، واستعمال المداراة ، كما ورد عن ابن عباس رضي الله عنه ^(١) أن
رسول الله ﷺ قال : " علمني ربي بعد الإيمان مداراة الناس " ^(٢) .

واعلم أن الدنيا ظل زائل ، وهي دار أنت منقول منها ، ^(٣)
عنها . فاجعل العدل لك فيها وزيراً تجده في عرصات القيامة لك ^(٤) هادياً
ونصيراً ، ^(٥) فإذا عاملت رعاياك بالعدل عاملك الله تعالى باللطف والفضل ،
فإن ^(٦) (الدنيا) ^(٧) في معرض الزوال ولا بد عنها من الانتقال ، فلا تغتر
بزخرفها ، فإن زخرفها وبال ، ونعيمها أسرع شيء إلى الارتحال ، واعلم أنها لم
تأتك إلا ^(٨) (بعد) أن كانت في يد غيرك ، وسترجع منك إلى غيرك ، وتندم على
عدم الازدياد ^(٩) (فيها) من فعل الخيرات ، ولا ينفعك الندم على ما اكتسبت فيها
من الموبقات .

(١) تقدمت ترجمته .

(٢) لم أجده بهذا اللفظ ، وقد أخرج ابن أبي شيبة (٢٥٤٢٨) من حديث علي بن زيد عن سعيد بن
المسيب قال : قال رسول الله ﷺ : " رأس العقل بعد الإيمان بالله مداراة الناس ، ولن يهلك رجل
بعد مشورة ، وأهل المعروف في الدنيا هم أهل المعروف في الآخرة . وهذا إسناد ضعيف ؛
لضعف علي بن زيد بن جدعان ، وانظر ميزان الاعتدال (٥٨٤٤) .

(٣) في (ص) ومشغول .

(٤) ليست في (د) ، (ص) .

(٥) ليست في (د) ، (ص) .

(٦) في (د) فالدنيا .

(٧) في (ص) إذا .

(٨) ليست في (د) ، (ص) .

(وعليك أيها الملك) ^(١) بانتهاز (الفرصة) ^(٢) بتقليد المنن في أعناق الرجال ، فإن النعمة لا بد وأن (تزول) ^(٣) إما بشكر (جزيل) ^(٤) أو بجزى طويل والأيام (صحائف) ^(٥) الدهر ، فلا يغرنك (زهر الحياة) ^(٦) الدنيا ، ولا (يغرنكم) ^(٧) بالله الغرور ، فقد قال من بيده (تصاريف) ^(٨) الأمور : ﴿ وَمَا الْحَيَاةُ الدُّنْيَا إِلَّا (مَتَاعُ الْغُرُورِ) ﴾ ^(٩) فعليك (استعمال العدل) ^(١٠) والإحسان [وكما تدين تدان] ^(١١) .

واعلم أن من غرس العلم اجتتى النباهة ، ومن غرس الزهد اجتتى العز ، ومن غرس الإحسان اجتتى المحبة ، ومن غرس الطمع اجتتى الذل ، ومن غرس المداراة اجتتى السلامة ، (وإن) ^(١٢) عز الدنيا بالمال وعز الآخرة بالأعمال [الصالحة] ^(١٣) .

(١) في (د) فعليك .

(٢) في (ص) الفرص .

(٣) في (د) ، (ص) تزال .

(٤) في (د) طويل وفي (ص) جميل .

(٥) في (ص) وصايا .

(٦) ليست في (د) ، (ص) .

(٧) في (د) يغرنك .

(٨) في (ص) تصريف .

(٩) ليست في (د) ، (ص) .

(١٠) في (د) بالعدل .

(١١) من (د) .

(١٢) ليست في (د) ، (ص) .

(١٣) من (ص) .

[وقد] ^(١) كتب الإسكندر إلى أرسطاطليس : أن أرسل إليّ بموعظة فكتب
(إليه) ^(٢) : إذا صفت لك السلامة فجدد ذكر (العطب) ^(٣) ، وإذا اطمأن بك الأمر
فاستشعر الخوف . وإذا [أحببت] ^(٤) نفسك فلا تجعل لها في الأنام نصيباً .
واحذر أيها الملك من يوم لا (ليلة) ^(٥) لك بعده ، ومن ليلة لا يوم [لك]
بعدها ^(٦) .

واعدل ما استطعت فإنك مجزي بالعدل عدلاً ، وبالجور جوراً .
واعلم أن هلاك المرء في ثلاث : شح مطاع ، وهوى متبع ، وإعجاب
المرء بنفسه . وهلاك الملوك في شيئين : ارتكاب المظالم والانفراد بالرأي .

(١) من (د) .

(٢) ليست في (ص) .

(٣) في (د) العطش ، وهو تصحيف .

(٤) في (الأصل) حبيت ، والمثبت من (د) ، (ص) .

(٥) في (د) ليل .

(٦) في (د) بعده .

[فصل] (١)

(ومن العدل الذي يجب على ولي الأمر العمل به : أن يراعي في أوامره وأحكامه وأفعاله القواعد الشرعية التي أمر الله تعالى بها على لسان أشرف البرية عليه أفضل الصلاة وأتم التسليم ، فأياك والخروج عنها يا ملك الزمان ، تعدل عما جاء به القرآن ﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ﴾ (٢) .

قال الفقيه أبو الليث (٣) في تفسيره : إن علم الأولين والآخرين في هذا الخط من عمل به كملت مروءته ، وربحت تجارتته .

قيل : خرج ملك إلى الصيد فاتبع غزالاً حتى بعد عن العسكر فاشتد به العطش ، فقصد بستاناً فخرج إليه صاحبه فسأله ماءً فدخل فأتاه برمانة فعصرها فملأت قعباً فشرب ، وكثر عجبه فأضمر في قلبه أن يأخذ البستان فيجعله له ، ثم طلب رمانة أخرى فأتي باثنين فعصر أحدهما فلم يخرج منه إلا القليل ، فقال : لا إله إلا الله ، تغيرت نية سلطاننا ، لا تصلح الثمار إلا بنية صلاح السلطان ، ولا يقل الماء إلا بجورهم في أرض الله ، والرجل لا يعلم أنه السلطان .

فاعتذر السلطان في نفسه ونوى أنه يرجع عن ما أضمره في قلبه من أخذ البستان واعتصر الرمانة الأخرى فملأت القعب فقال الجنائني : قد أخلص السلطان فيما نوى .

فقال له السلطان : أيها الرجل أتعرف من أنا ؟

(١) من (ص) .

(٢) سورة النحل ، آية رقم (٩٠) .

(٣) هو الإمام الفقيه المحدث الزاهد أبو الليث نصر بن محمد بن إبراهيم السمرقندي الفقيه الحنفي .

توفي في جمادى الآخرة سنة ٣٧٥ هـ . له ترجمة في : السير (٣٢٣/١٥) . وتاج التراجم

(٥٨) . والجواهر المضيئة في طبقات الحنفية (٢/٦١٠) . والفوائد البهية (٢٢١) . وهديّة

لعارفين (٢/٩٠) .

قال : الله أعلم .

قال : أنا السلطان ، وعليّ عهد الله تعالى لا ظلمت بعدها ، ولا هممتُ
بظلم بعد اليوم) ^(١) .

قال الحكماء : الملوك ثلاثة :

واحد [ينتصف] ^(٢) (من نفسه لرعاياه) ^(٣) ، ويتجاوز عنهم ، فهو أعلاهم
درجة ، وأكملهم عقلاً ، وأدومهم ملكاً ، وأعمرهم بلاداً ، وأملكهم لقلوب رعاياه .
وواحد ينتصف لهم من نفسه وينتصف لنفسه منهم ، فهو أوسطهم ، فذاك
الذي عمل بالعدل ولم يكتسب الفضل .

والثالث : ينتصف لنفسه من رعيته ولا ينتصف لهم من نفسه ، فهذا أقربهم
سيرة : لأنه تعجل لنفسه الهلكة ؛ لأن رعاياه تبسط أكفها بالدعاء عليه ، وألسنتها
بالتضرع إلى من بيده مقاليد السموات والأرض فلا يوشك أن يزول ملكه .

فاختر [لنفسك] ^(٤) يا ملك الزمان العمل بأفعال من شئت من هؤلاء .

(قال رسول الله ﷺ : " عدل السلطان يوماً خيراً من مطر أربعين يوماً ،
لولا عدل السلطان لم تنزل الأمطار ، ولم تجر الأنهار ، ولم تطلع الثمار ، ولم
ترخص الأسعار " ^(٥) .

(١) ليس في (د) .

(٢) في (الأصل) ينصف ، والمثبت من (د) ، (ص) .

(٣) في (د) لنفسه من رعاياه .

(٤) من (ص) .

(٥) لم أجده بهذا اللفظ . وقد روى النسائي في السنن الكبرى (٧٣٩١) باب الترغيب في إقامة
الحدود ، من حديث عيسى بن يزيد قال : حدثني جرير بن يزيد أنه سمع أبا زرعة بن
عمرو بن جرير يحدث أنه سمع أبا هريرة يقول : قال رسول الله ﷺ : " حد يعمل به في
الأرض خير لأهل الأرض من أن يمطروا ثلاثين صباحاً " .

قَالَ نَقْمَانُ الْحَكِيمُ ^(١) لَوْلَدَهُ : يَا بَنِي اعْلَمْ أَنَّ الدِّينَ أَصْلُ الْمُلُوكِ ، وَالْعَدْلُ وَزِيرُهُ ،
وَالنَّظْمُ عَدُوهُ ، فَاحْتَرَسْ أَنْ يَقْوَى عَدُوكَ فَيَغْرَكَ وَزِيرَكَ فَيَفْسِدَ عَلَيْكَ دِينَكَ
وَدُنْيَاكَ .

يَا بَنِي : الْعَدْلُ جَنَّةٌ وَاقِيَةٌ ، الْعَدْلُ تَاجُ الْمُلُوكِ وَسِيرَتُهُمْ وَصَلَاتُهُمْ
وَسَلَامَتُهُمْ وَسِرَاجُهُمْ وَحَصْنُهُمْ وَعِزُّهُمْ ، وَكُلُّ مَلِكٍ عَمِلَ بِالْعَدْلِ أَعْطَاهُ اللَّهُ تَعَالَى
مُلْكًا بَلَا عِزْلٍ .

يَا بَنِي : الْعَدْلُ صِفَةُ اللَّهِ عِزِّ وَجَلِّ قَائِمًا بِالْقِسْطِ ، أَيُّ بِالْعَدْلِ ، ﴿ وَأَقْسِطُوا
إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴾ ^(٢) .

كُلُّ الْعَالَمِ يُحِبُّونِي وَأَنَا أَحِبُّ السُّلْطَانَ الْعَادِلَ ، وَفِي الْخَبَرِ : يُوْتَى
بِالسُّلَاطِينَ الْعَادِلِينَ فَيَجْلِسُونَ تَحْتَ الْعَرْشِ عَلَى فِرَاشٍ مِنْ نُورٍ ، وَيُنَادِي مُنَادٌ مِنْ
قَبْلِ اللَّهِ عِزِّ وَجَلِّ : مَنْ لَهُ عَلَى اللَّهِ حَقٌّ ؟

قَالَ : فَتَقُومُ الْمُلُوكُ الْعَادِلُونَ ، فَيَقَالُ لَهُمْ : وَمَا حَقُّكُمْ ؟

فَيَقُولُونَ : رَعَيْنَا الرِّعَايَا وَأَكْرَمْنَاهُمْ لِأَجْلِكَ وَعَمَلْنَا فِيهِمْ بِالْعَدْلِ كَمَا أَمَرْتَنَا .

فَيَقُولُ اللَّهُ عِزِّ وَجَلِّ : رَضِيتُ عَلَيْكُمْ وَغَفَرْتُ لَكُمْ ، وَوَهَبْتُ لَكُمْ الْجَنَّةَ .

سَأَلَ سَائِلٌ : مَا حَقِيقَةُ الْعَدْلِ ؟

فَقِيلَ : الشَّفَقَةُ عَلَى الْخَلْقِ ، فَيَكُونُ الشَّيْخُ عِنْدَهُ كَوَالِدِهِ ، وَالْكَهْلُ كَأَخِيهِ ،
وَالصَّغِيرُ كَوَالِدِهِ ، وَيَكُونُوا جَمِيعًا مِنْهُ آمِنِينَ ، وَلْخَيْرُهُ آمِلِينَ ، يَأْوُونَ إِلَى ظِلِّ
عَدْلِهِ ، فَوَحَقَّ الْمَلِكُ الْفَرْدَ لِيَسْأَلَنَّ عَنْ حَالِ عَبْدٍ عَبْدًا ^(٣) .

(١) مِنْ حُكَمَاءِ الدُّنْيَا وَزُهَادِهِمْ اخْتَلَفَ فِيهِ الْعُلَمَاءُ أَنْبَى هُوَ أَمْ رَجُلٌ صَالِحٌ ؟ ، وَالَّذِي عَلَيْهِ الْأَكْثَرُونَ

الثَّانِي ، وَقَدْ خَصَّهُ اللَّهُ تَعَالَى بِسُورَةٍ سَمِيَتْ بِاسْمِهِ فِي الْقُرْآنِ الْكَرِيمِ ، وَحُكِيَ فِيهَا مِنْ عَظِيمِ

كَلَامِهِ مَا يَسْتَدِلُّ بِهِ عَلَى كَامِلِ مَعْرِفَتِهِ وَتَامِ حُكْمَتِهِ .

(٢) سُورَةُ الْحَجَرَاتِ ، آيَةُ رَقْمِ (٩) .

(٣) لَيْسَتْ فِي (ذ) ، (ص) .

فصل

في (منع) ^(١) استخدام أهل الذمة

(قال الله تعالى في كتابه المنزل على نبيه المأمور فيه بقوله : ﴿ وَرَتِّلِ الْقُرْآنَ تَرْتِيلاً ﴾ (٢) (٣) ، ﴿ وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا ﴾ (٤) . وقال تعالى (في حق من يوالي أحداً منهم) ^(٥) : ﴿ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ ﴾ (٦) .

ومما يجب ويتعين على حكام المسلمين أن لا يتخذوا أحداً منهم من أهل الذمة كتاباً من دون المؤمنين ، فلقد (والله) ^(٧) استعملهم الأجناد ، ومكنوهم في البلاد . فأكثرُوا فيها الفساد ، وتحكموا في العباد ، وابتدعوا البدع والحوادث ، وأظهروا العناد ، (وبارزوا بالفجور رب العباد) ^(٨) ، واستولوا على أموال المسلمين ، وأهانوا أهل [العلم والصلاح] ^(٩) [و] ^(١٠) الدين ، (وظهر فسقهم في حرم المسلمين ، وخيانتهم في أموال الموحدين) ^(١١) ، فصاروا يركبون الخيول ، ويعلون أسننتهم والسب والفجور ، وقد شوهدهم بعضهم يخرج رجله من الركاب ويرفص المسلمين على وجوههم ولم يخف رب الأرباب .

(١) ليست في (ص) .

(٢) ليست في (د) .

(٣) سورة المزمل ، آية رقم (٤) .

(٤) سورة النساء ، آية رقم (١٤١) .

(٥) ليست في (د) .

(٦) سورة المائدة ، آية رقم (٥١) .

(٧) ليست في (د) ، وفي (ص) فلقد .

(٨) في (د) وبادروا بالفجور رب العباد .

(٩) من (د) ، (ص) .

(١٠) زدناها ليستوي السياق .

(١١) ليست في (د) .

فأي عيش يطيب مع هذا الذل العظيم ، وأي (معيشة)^(١) تستطاب بعد هذا
(الخطب)^(٢) الجسيم ، فالموت في هذا الوقت خير من الحياة ، فلا حول ولا قوة
إلا بالله [العلي العظيم]^(٣) .

(فالواجب عليك يا ملك الزمان أن تمنع الجمهور من عسكر السلطان)^(٤)
أن يولونهم مادة من المواد ، ويستعملونهم في عمل ما يتعلق بالقرى والبلاد ، فقد
منعنا الله (تعالى)^(٥) في كتابه المسطور أن نواليهم أو نواددهم إلى يوم البعث
والنشور .

فقد قال الله تعالى : ﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَوَلَّوْا قَوْمًا غَضِبَ اللَّهُ
عَلَيْهِمْ ﴾^(٦) .

وأمرنا ، بل فرض علينا أن نسأله في اليوم والليلة خمس مرات (أن
نتعوذ)^(٧) منهم بقولنا في الصلاة بعد سؤاله الهداية إلى الصراط المستقيم ، صراط
الذين أنعمت عليهم غير المغضوب عليهم ولا الضالين ، (آمين)^(٨) .

فمن صريح ما فسرهُ رسول الله ﷺ أن المغضوب عليهم اليهود والضالين
النصارى ، (فكيف نوالي قوما غضب الله عليهم ، وأضلهم)^(٩) .

(ورد في الحديث عن النبي ﷺ أنه قال : " لأخرجن اليهود والنصارى

(١) في (د) عيشة .

(٢) في (ص) الخطيب .

(٣) من (د) ، (ص) .

(٤) في (د) فالواجب على ولي الأمر أن يمنع عساكره .

(٥) ليست في (ص) .

(٦) سورة الممتحنة ، آية رقم (١٣) .

(٧) في (د) التَّعَوَّذُ .

(٨) ليست في (د) .

(٩) في (د) قوماً غضب الله عليهم وأضلهم أن نواليهم ونوادهم أو نخالطهم أو نستعملهم .

من جزيرة العرب حتى لا أدع إلا مسلماً " (١) .

وقال : " لا تساكنوا اليهود والنصارى في أمصاركم إلا أن يسلموا ومن يرد بعد إسلامه فاضربوا عنقه " (٢) (٣) .

فينبغي تجنبهم حسب ما أمكن ، (وإبعادهم مهما تمكن) (٤) ، فلو لم يرد في ذمهم سوى هذه الآية لكانت كافية في تجنبهم وإبعادهم (وعدم تقربهم) (٥) ، ألا ترى أن الملك إذا غضب على شخص هل يستطيع أحد أن يقربه ويوادده أو يواليه ؟

وقد (أخبرنا) (٦) الله تعالى سبحانه بأنه عدو للكافرين (فحيث) (٧) علمنا أنه سبحانه عدو لهذه الطائفة [الضالة الكافرة وتحققنا إنهم أعداء الله ورسوله] (٨) فكيف نوالي من عاداه الله [ورسوله] (٩) .

فلو (مثلاً) (١٠) قال السلطان لرعاياه : (فلان) (١١) عدوي ، هل يستطيع أحد أن يواليه ، ويجتمع عليه أو يخلوا معه أو يشاوره (أو يساوره خشية) (١٢) أن

(١) أخرجه مسلم في صحيحه (١٧٦٧) ، كتاب الجهاد والسير ، باب إخراج اليهود والنصارى من جزيرة العرب .

(٢) ليست في (د) ، (ص) .

(٣) أخرجه ابن أبي شيبة في مصنفه (٣٢٩٩٣) ، وإسناده ضعيف ، فليث هو ابن أبي سليم ، ضعيف الحديث . وانظر الضعفاء والمتروكين لابن الجوزي (٢٨١٥) .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) في (د) أخبر .

(٧) في (د) وإذا .

(٨) من (د) ، (ص) .

(٩) من (د) ، (ص) .

(١٠) ليست في (د) .

(١١) في (د) إن فلانا .

(١٢) ليست في (ص) .

يَبْطِشُ بِهِ الْمَلِكُ أَوْ تَحُلْ بِهِ الْعُقُوبَةُ ، أَفَلَا نَخْشَى أَنْ يَحُلْ بِنَا عِقَابُ اللَّهِ وَعَذَابُهُ
بِتَقْرِيْبِ أَعْدَائِهِ وَاتِّخَاذِهِمْ كِتَابًا وَعَمَالًا مِنْ دُونِ الْمُؤْمِنِينَ .

(قَالَ اللَّهُ تَعَالَى فِي كِتَابِهِ (الْمَبِينِ) ^(١) : ﴿ لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ
مِنْ دُونِ الْمُؤْمِنِينَ ﴾ ^(٢) إِلَى أَنْ قَالَ : ﴿ وَيَحْذَرُكُمُ اللَّهُ نَفْسَهُ ﴾ ^(٣) ، أَيْ إِنْ
اتَّخَذْتُمُوهُمْ أَوْلِيَاءَ (^(٤)) .

وَقَالَ : ﴿ لُعِنَ الَّذِينَ كَفَرُوا مِنْ بَنِي إِسْرَائِيلَ عَلَى لِسَانِ دَاوُدَ وَعِيسَى ابْنِ
مَرْيَمَ ذَلِكَ بِمَا عَصَوْا وَكَانُوا يَعْتَدُونَ ﴾ ^(٥) ، ﴿ كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ فَعَلُوهُ
لَبِئْسَ مَا كَانُوا يَفْعَلُونَ ﴾ ^(٦) ، ﴿ تَرَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا لَبِئْسَ مَا
قَدَّمَتْ لَهُمْ أَنْفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي الْعَذَابِ هُمْ خَالِدُونَ ﴾ ^(٧) ، ﴿ وَلَوْ
كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالنَّبِيِّ وَمَا أُنْزِلَ إِلَيْهِ مَا اتَّخَذُوا أَوْلِيَاءَ وَلَكِنْ كَثِيرًا مِنْهُمْ
فَاسِقُونَ ﴾ ^(٨) .

فَانْظُرْ (يَا مَلِكُ الزَّمَانِ) ^(٩) هَذَا النَّهْيَ وَالتَّحْذِيرَ وَالتَّهْدِيدَ وَالْوَعِيدَ ﴿ يَا أَيُّهَا
الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ﴾ ^(١٠) ، ظَاهِرُ هَذِهِ الْآيَةِ
الشَّرِيفَةِ أَنَّ هَذِهِ الْقَبَائِحَ الْمَذْكُورَةَ مُوجِبَةٌ لِهَذَا الْوَعِيدِ الْعَظِيمِ وَالسَّخَطِ وَاللَّعْنَةِ مِنْ اللَّهِ
وَعِقَابِهِ الْأَلِيمِ وَنَفْيِ الْإِيمَانِ ، فَمَا أَعْظَمَ وَقَعَ هَذِهِ الْآيَاتِ فِي الْقُلُوبِ لِلْمُتَأَمِّلِينَ ، أَفَلَا
نَخَفُ عِقَابَهُ وَبَطْشَهُ وَعَذَابَهُ الْأَلِيمَ .

(١) فِي (ص) الْمَكْنُونِ الْمَصْحُحِ الْمَبِينِ .

(٢) سُورَةُ آلِ عِمْرَانَ ، آيَةُ رَقْمِ (٢٨) .

(٣) سُورَةُ آلِ عِمْرَانَ ، آيَةُ رَقْمِ (٢٨) .

(٤) لَيْسَتْ فِي (د) .

(٥) سُورَةُ الْمَائِدَةِ ، آيَةُ رَقْمِ (٧٨) .

(٦) سُورَةُ الْمَائِدَةِ ، آيَةُ رَقْمِ (٧٩) .

(٧) سُورَةُ الْمَائِدَةِ ، آيَةُ رَقْمِ (٨٠) .

(٨) سُورَةُ الْمَائِدَةِ ، آيَةُ رَقْمِ (٨١) .

(٩) فِي (د) أَيُّهَا الْمَلِكُ إِلَى .

(١٠) سُورَةُ النِّسَاءِ ، آيَةُ رَقْمِ (١٤٤) .

(وليعمل ولي الأمر أعانه الله تعالى على إزالة الفساد)^(١) ومنع أهل الذمة [والمكر والعناد]^(٢) أن يولوا أمراً من أمور العباد ، (أنني لما)^(٣) رأيت أعداء الله (النصارى)^(٤) تمكنوا في البلاد ، (وتكبروا على العباد)^(٥) ، وأهانوا أهل الدين ، (وابتدعوا البدع)^(٦) ، وفرعوا المظالم على المسلمين وحكام زماننا عن هذه (المصيبة)^(٧) غافلون ، وعن القيام بما يجب عليهم فيها متغافلون ، فخشيت أن يعم العقاب [و]^(٨) ينزل العذاب على كافة الخلق لقوله سبحانه في محكم الكتاب : ﴿ وَاتَّقُوا فِتْنَةً لَا تُصِيبَنَّ الَّذِينَ ظَلَمُوا مِنْكُمْ خَاصَّةً وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴾^(٩) . فأحببت أن أذكر حكامنا ما (نسوا)^(١٠) من الشريعة (وأنبههم على ما أغفلوه عن أحكامها الرفيعة لما علمت من حظهم ، وتلفتهم إلى إعلاء كلمة الدين وقيامهم بأداء فرض الجهاد وقمع الكفرة المعتدين ، وأن هذا من جملة الجهاد المفروض على ولاية أمور العباد)^(١١) ، فذكرتهم ذلك خشية عقاب الله في الكتمان ورجاء ثوابه (في الإعلان)^(١٢) ، كما قال (في الكتاب المبين)^(١٣) : ﴿ وَذَكَرْ فَإِنْ الذِّكْرَى تَنْفَعُ الْمُؤْمِنِينَ ﴾^(١٤) .

(١) في (د) فالواجب على ولي الأمر .

(٢) من (ص) .

(٣) في (د) ولما .

(٤) ليست في (د) .

(٥) في (د) ومكروا بالعباد .

(٦) ليست في (د) .

(٧) في (د) القضية .

(٨) زيدت ليستوي السياق .

(٩) سورة الأنفال ، آية رقم (٢٥) .

(١٠) في (د) نسوه .

(١١) ليست في (د) .

(١٢) ليست في (د) .

(١٣) في (د) تعالى .

(١٤) سورة الزمر ، آية رقم (٥٥) .

فإن أخذوا بشريعة الله تعالى فهو المراد ، وإن (تساهوا عن ذلك وأعرضوا) ^(١) - والعياذ بالله تعالى - فقد بآؤا بغضب من الله والإبعاد ، (وأكون أنا وإياهم كما قال الله تعالى في محكم الكتاب المكنون : ﴿ فَلَمَّا نَسُوا مَا ذُكِّرُوا بِهِ أَنْجَيْنَا الَّذِينَ يَنْهَوْنَ عَنِ السُّوءِ وَأَخَذْنَا الَّذِينَ ظَلَمُوا بِعَذَابٍ بَئِيسٍ بِمَا كَانُوا يَفْسُقُونَ ﴾ ^(٢) .

واعلم يا ملك الزمان أن هؤلاء الكفار لا يحبون للمسلمين خيراً البتة بدليل قوله تعالى : ﴿ مَا يَوَدُّ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَلَا الْمُشْرِكِينَ أَنْ يُنَزَّلَ عَلَيْكُمْ مِنْ خَيْرٍ مِنْ رَبِّكُمْ ﴾ ^(٣) ، فالذي لا يريد لك الخير فكيف تقربه ، أو تواليه ، أو تطلعه على أسرارك ، أو تستأمنه على أموالك ؟ وهو لا يريد لك خيراً ، بل ربما يتوقع لك ضيراً لكن من يستعملهم غافل عن مثل هذا ، بل ومنهم من يعتقد أن النصارى أعرف بمباشرة الخدم من المسلمين ، وغفلوا عن ما جاء في حقهم من آيات الكتاب المبين ، فقد جاء في محكم القرآن : ﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنَّ اسْتَحَبَّوْا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ ﴾ ^(٤) .

(١) في (د) تساهوا وأعرضوا .

(٢) سورة الأعراف ، آية رقم (١٦٥) .

(٣) سورة البقرة ، آية رقم (١٠٥) .

(٤) سورة التوبة ، آية رقم (٢٣) .

قال ابن عطية ^(١) : ظاهر هذه المخاطبة أنها لجميع المؤمنين (كافة) ^(٢) ، وهي باقية الحكم إلى يوم القيامة ^(٣) . والآيات الواردة في هذا المعنى كثيرة ^(٤) ولا يشك شك أنهم يبغضون سيد المرسلين ، (ولا) ^(٥) يتم إيماننا إلا ببغض الكفار الصادر ذلك منهم في حق النبي الأمين .

قال بعض العلماء عن هؤلاء الذين يوالون اليهود والنصارى ويستعملونهم كتاباً من دون المؤمنين [فقال] ^(٦) : بلغنا والله أعلم أنهم يفتنون عند الموت فلا يموتون على فطرة الإسلام ، يؤيد ذلك قوله تعالى : ﴿وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ﴾ ^(٧) (أي من جملتهم) ^(٨) ، ﴿إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ﴾ ^(٩) ، (فسمى الله تعالى الذين يتولونهم ظالمين) ^(١٠) .

(١) هو الإمام الفقيه الأجل الحافظ الأكمل القاضي الأعدل ، أبو محمد عبد الحق ، ابن الفقيه الإمام الحافظ أبي بكر غالب بن عبد الرحمن بن غالب بن عبد الرؤوف بن تمام بن عبد الله بن تمام بن عطية بن خالد بن عطية ، توفي سنة ٥٤١ هـ — ، وانظر ترجمته في : السير (٥٨٧/١٩) ، والصلة (٣٨٦/٢) ، وبغية الملتبس (٣٧٦) ، والمعجم لابن الأبار (٢٦٩) ، والديباج المذهب (٥٧/٢) ، وبغية الوعاة (٧٣/٢) ، وطبقات المفسرين (١٦) .

(٢) في (ص) كافية .

(٣) المحرر الوجيز في تفسير الكتاب العزيز (١٧/٣) .

(٤) ليست في (د) .

(٥) في (د) ونحن لا .

(٦) كذا في (الأصل) .

(٧) سورة المائدة ، آية رقم (٥١) .

(٨) ليست في (د) .

(٩) سورة المائدة ، آية رقم (٥١) .

(١٠) ليست في (ص) .

(وقال في آية أخرى ﴿ وَيُضِلُّ اللَّهُ الظَّالِمِينَ ﴾ ^(١) أي عند الموت .

قال بعض المفسرين: يوشك من استكتبهم أن لا يموت على الإسلام لقوله تعالى : ﴿ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَاِنَّهُ مِنْهُمْ ﴾ ^(٢) أي من جملتهم .

تأمل قوله تعالى : ﴿ وَالَّذِينَ كَفَرُوا بِغُضُّهُمْ أَوْلِيَاءُ بَعْضٌ إِلَّا تَفْعَلُوهُ تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ ﴾ ^(٣) ، فما أغفلنا عن العمل بهذه الآية .

قال بعض العلماء : (معنى هذه الآية) ^(٤) والله أعلم أن الكفار كلهم يتعاونون وينصر بعضهم بعضاً وهم أعداؤكم ، فكونوا أنتم كذلك من اجتماع الكلمة وموالاته بعضهم ،) ^(٥) فتركنا ذلك واتخذنا الكفار كتاباً من دون المؤمنين ، فكثر والله الفساد ، [وانتشر] ^(٦) الفتن بين العباد .

هذا وأهل الدولة عن هذه المفاقد غافلون ، وعن ما ينال أهل الإسلام من [إيذاء] ^(٧) هذه الطائفة معرضون (أو متغافلون) ^(٨) ، فإننا لله وإنا إليه راجعون .

(فبهذه المواجه) ^(٩) اشتدت البلية بإهانة الملة المحمدية ، (فلقد خشيت والله أن يغضب الله تعالى على أوليائه فينزل العذاب على من مكنهم ، ويحل الانتقام بمن حكمهم ،) ^(١٠) فحملني على ما علمت من أحوالهم الشفقة على حكام

(١) سورة ابراهيم ، آية رقم (٢٧) .

(٢) سورة المائدة ، آية رقم (٥١) .

(٣) سورة الأنفال ، آية رقم (٧٣) .

(٤) في (ص) معناه .

(٥) ليست في (د) .

(٦) كذا في في جميع الأصول .

(٧) في (الأصل) : أنداد ، والمثبت من (د) .

(٨) ليست في (د) .

(٩) في (د) فبهذا الموجب .

(١٠) ليست في (د) .

المسلمين ، والنصيحة لأركان الدولة الموحدين ، فبذلت لهم [النصيحة] ^(١) ابتغاء وجه رب العالمين ، كما أخبر الله تعالى في كتابه المبين بقوله وهو أصدق القائلين : ﴿ وَنَصَحْتُ لَكُمْ وَلَكِنْ لَا تُحِبُّونَ النَّاصِحِينَ ﴾ ^(٢) .

فحق على جميع الورى أن يمدوا ولي الأمر بالمناصحات ، ويخصوه بالدعوات الصالحات ، ويعينوه على سائر المهمات ، رجاء الفوز في الآخرة بالدرجات ، فقد أمرنا الله تعالى بالمعاونة (على البر) ^(٣) والتقوى وقال : ﴿ فَلَوْلَا كَانَ مِنَ الْقُرُونِ مِنْ قَبْلِكُمْ أُولُو بَقِيَّةٍ يَنْهَوْنَ عَنِ الْفَسَادِ فِي الْأَرْضِ إِلَّا قَلِيلًا مِمَّنْ أَنْجَيْنَا مِنْهُمْ ﴾ ^(٤) ، فالمتعين على علماء الإسلام أن يبذلوا جدهم وجهدهم في نصيحة الإمام ، فإذا اطلعوا على أمر فيه ضرر للمسلمين وولي الأمر عن ذلك من الغافلين ، فيجب عليهم أن يعلموه وينهوه ، ويطلعونه على ما اتضح لهم من ذلك ويوقظوه ، ويتضرعوا إلى الله جبار السماوات بالدعوات المستجابات أن يريه الحق حقاً ويرزقه اتباعه ، ويريه الباطل باطلاً ويرزقه اجتنابه ، وأن يوفقه للعمل بما أمر الله ، واجتناب ما نهى الله ، فإن ذلك صلاح الدنيا والدين والنفع لكافة المسلمين المؤمنين .

فإن من جملة ما أمر الله تعالى النهي عن موالاته أهل الذمة ، فلا يتخذوا كتاباً ولا عمالاً ، فقد تملكوا لهذه الخدمة قلوب أكابر الأمة ففرعوا لهم في إحداث المظالم أبواباً فالأولى أن لا يستعملوا عمالاً ولا كتاباً ، فقد خانوا الله والرسول ، وبلغوا في إيذاء الأمة المحمدية غاية الأمل والمأمول ، فلا يؤمنوا أن يبعدوا وإنما هو أبلغ [وأكثر] ^(٥) من ذلك ، لأنهم حيث تمكنوا هذا التمكن من قلوب الحكام لا

(١) من (د) .

(٢) سورة الأعراف ، آية رقم (٧٩) .

(٣) ليست في (ص) .

(٤) سورة هود ، آية رقم (١١٦) .

(٥) من (ص) .

يَأْمَنُوا أَنْ يَكَاتِبُوا الْأَعْدَاءَ مِنَ الْكَافِرِينَ (بظهورهم)^(١) عَلَى أَسْرَارٍ الْمُسْلِمِينَ ، (فَقَدْ تَقَدَّمَ لَهُمُ الْمَكْرُ بِالْمُسْلِمِينَ قَبْلَ الْآنَ حِينَ دَخَلَ التَّتَارُ لِدِمَشْقَ عَلَى الْمُؤْمِنِينَ ، وَكَانَ ضَرَرُهُمْ أَشَدَّ مِنْ ضَرَرِ التَّتَارِ خَذَلَهُمُ اللَّهُ تَعَالَى)^(٢).

قَالَ اللَّهُ تَعَالَى : ﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ تُلْقُونَ إِلَيْهِمُ بِالْمَوَدَّةِ ﴾ ... إِلَى قَوْلِهِ : ﴿ وَمَنْ يَفْعَلْهُ مِنْكُمْ فَقَدْ ضَلَّ سَوَاءَ السَّبِيلِ ﴾^(٣) . وَهَذِهِ الْآيَةُ عَامَّةٌ فِي كُلِّ مَنْ يُوَالِي أَعْدَاءَ اللَّهِ تَعَالَى إِلَى يَوْمِ الْقِيَامَةِ .

(وَقَالَ تَعَالَى : ﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنْ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ ﴾^(٤) ، هَذَا [نَهْيٌ]^(٥) عَنْ مَوَالَاةِ أَقْرَبَائِهِمْ فَكَيْفَ عَنْ مَوَالَاةِ الْأَجَانِبِ مِنْهُمْ)^(٦) .

قَالَ (عَزَّ مِنْ قَائِلٍ)^(٧) : ﴿ لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ أُولَئِكَ كَتَبَ فِي قُلُوبِهِمُ الْإِيمَانَ وَأَيَّدَهُم بِرُوحٍ مِنْهُ وَيُدْخِلُهُمْ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا رَضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ أُولَئِكَ حِزْبُ اللَّهِ أَلَا إِنَّ حِزْبَ اللَّهِ هُمُ الْمُفْلِحُونَ ﴾^(٨) ، فَانْظُرْ يَا أَخِي كَيْفَ نَفَى اللَّهُ هَذَا الْإِيمَانَ عَنْ مَتَوَلِّي أَعْدَاءَ اللَّهِ تَعَالَى وَأَثَبَتْ الْإِيمَانَ وَالتَّائِيدَ بِرُوحٍ مِنْهُ لِمَنْ أَبْغَضَ أَعْدَاءَهُ .

(١) فِي (ص) وَيُظْهِرُونَهُمْ .

(٢) لَيْسَ فِي (د) وَ(ص) .

(٣) سُورَةُ الْمُمْتَحِنَةِ ، آيَةُ رَقْمِ (١) .

(٤) سُورَةُ التَّوْبَةِ ، آيَةُ رَقْمِ (٢٣) .

(٥) مِنْ (ص) .

(٦) لَيْسَتْ فِي (د) .

(٧) فِي (د) تَعَالَى .

(٨) سُورَةُ الْمَجَادَلَةِ ، آيَةُ رَقْمِ (٢٢) .

(قال بعض العلماء : [معناه نفي الإيمان الكامل ؛ لأن موالاتهم وإن كانت من أعظم الكبائر لا تسلب الإيمان كاملاً] ^(١) ، لكن ربما يكون سبباً للموت على غير الإسلام نعوذ بالله من ذلك ، وليعلم ولي الأمر أن مستعملهم كتاباً دون المؤمنين مخالف لما جاء في الكتاب المبين من (الأمر) ^(٢) بإهانتهم وإعطائهم الجزية وهم صاغرون ، [فباستعمالهم صاروا أعزاء على المؤمنين يأخذونه من المسلمين الرث والبراطيل وهم صاغرون والكفار] ^(٣) يهددونهم ويتوعدونهم ويحتقرونهم وعليهم يتكبرون ، (فإننا لله وإنا إليه راجعون) ^(٤) .

ومن المسلمين من يقبل أيديهم وأرجلهم في الركاب ، كل هذا من تمكين الدولة إياهم على المسلمين ، وغفلتهم عما جاء من آيات الكتاب المبين (^(٥) فتأمل هذه الآيات وما انطوت عليه ، فهل يسمع في ذلك أحد في قلبه (مثقال ذرة) ^(٦) من الإيمان ويقرب أحداً من النصارى واليهود ، أو يشاورهم [أو يتولاهم] ^(٧) أو يواليهم أو يستكتبهم أو يركن إليهم أو يوليهم عملاً من الأعمال يتعلق بالمسلمين ؟ [فوالله] ^(٨) لا يفعل ذلك إلا من أمن مكر الله ، واستخف بوعيد الله ، وخالف ما أمر به الله .

(١) كذا في (الأصل) و(ص) وليست في (د) ، والمعنى فيه مناقضة بين أوله وآخره ولعله سقط من أول الكلام : ليس .

(٢) زاد في (ص) بالجزية .

(٣) من (ص) .

(٤) ليست في (ص) .

(٥) ليست في (د) .

(٦) في (ص) شيء .

(٧) من (ص) .

(٨) في (ص) نأش .

(قال تعالى : ﴿ وَإِذَا أَرَدْنَا أَنْ نُهْلِكَ قَرْيَةً أَمَرْنَا مُتْرَفِيهَا فَفَسَقُوا فِيهَا فَحَقَّ عَلَيْهَا الْقَوْلُ فَدَمَّرْنَاهَا تَدْمِيرًا ﴾ ^(١) ، فأَي فسقٍ أقبح من اتخاذ أهل الذمة كتاباً وعمالاً من دون المؤمنين ^(٢)) ، (قال رسول الله ﷺ ^(٣)) : " لا تسلموا على اليهود والنصارى وإذا لقيتموهم في طريق فاضطروهم إلى أضيقة " ^(٤) .

قال المفسرون : لأن الكفار ليسوا أهلاً للإكرام ، بل للإذلال والهوان ، فهذا كله تحذير عن موالاتهم (والاختلاط بهم وعدم الألفة بيننا وبينهم ، فيجب على كل من آمن بالله [واليوم الآخر] ^(٥) اتباع أمره ونهيه ، وتقريب من قرب ، وإبعاد من أبعد ، ومناذتهم ، [ومباعدتهم] ^(٦) والإعراض عنهم امتثالاً لأوامر الله تعالى وحذراً من عقابه وحلول سخطه كما قال عز من قائل : ﴿ فليحذر الذين يخالفون عن أمره أن تصيبهم فتنة أو يصيبهم عذاب أليم ﴾ ^(٧) .

(قال تعالى : ﴿ فَمَنْ بَدَّلَهُ بَعْدَ مَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ ﴾ ^(٨)) ، فليبادر ولي الأمر أعانه الله إلى عزل كل ذمي عن ولايته واستخدام غيره من المسلمين ، فقد قامت حجة الله تعالى على من والاهم واستكتبهم وأدناهم أو ولاهم عملاً من أعمال المسلمين ، أو قربهم ، أو استكفى بهم عن المسلمين .

(١) سورة الاسراء ، آية رقم (١٦) .

(٢) ليست في (د) ، (ص) .

(٣) فقد ورد عنه صلى الله عليه وسلم أنه قال .

(٤) ليست في (ص) ، والحديث أخرجه مسلم (٢١٦٧) ، كتاب السلام ، باب النهي عن ابتداء أهل الكتاب بالسلام وكيف يرد عليهم .

(٥) ليست في (ص) .

(٦) من (ص) .

(٧) سورة النور ، آية رقم (٦٣) .

(٨) سورة البقرة ، آية رقم (١٨١) .

قال بعض العلماء : من ولى أهل الذمة ديواناً للمسلمين انتقص عهده ،
والإمام مخير بين القتل والفداء ، روى هشام بن عروة ^(١) : " استقبل رسول الله
ﷺ جبرائيل فناوله يده فأبى أن يتناولها فقال له : يا جبرائيل ما منعك أن تأخذ
بيدي ؟

فقال : يا محمد إنك أخذت بيد يهودي فكرهت ذلك ، فدعى رسول الله ﷺ
بماء فتوضأ ثم ناوله يده فتناولها " ^(٢) .

وروى شريك عن ابن هلال ، عن [أشق] ^(٣) قال : كنت عند عمر بن
الخطاب رضي الله عنه ^(٤) فراودني على الإسلام فقال : لا إكراه في الدين ، ثم قال لي :
إن أسلمت (استئمنتك) ^(٥) على أمانة المسلمين ، فإنه لا يحل لي أن أستعملك على
أمانتهم ، وأنت على غير دينهم " ^(٦) .

والآيات والأحاديث الواردة في عدم موالاته أهل الذمة وعدم الاستعانة بهم
كثيرة ، لو استغرقناها لضاق هذا الكتاب لكن في هذا القدر كفاية لذوي
الآلئاب ^(٧) .

(١) هو هشام بن عروة بن الزبير بن العوام ، من فقهاء الإسلام وثقات الرواة ، من رجال الكتب
الستة المشهورة ، وله ترجمة في غالب كتب التراجم ، وانظر تهذيب الكمال (٢٣٢/٣٠) .

(٢) أخرجه الطبراني في الأوسط (٢٨١٣) ، وهذا حديث منكر باطل ، كما قال الذهبي في الميزان
(٢٣٧/٥) .

(٣) كذا في جميع الأصول ولم أعرفه .

(٤) هو الصحابي الخليفة الراشد العادل الإمام الشهيد ، وأحد العشرة المبشرين بالجنة ، توفي سنة
٢٣ هـ . انظر ترجمته في السير جزء الصحابة (٧١) .

(٥) في (ص) استعملتك .

(٦) لم أجده .

(٧) ليست في (د) .

قَن^(١) في كتاب " منهج الصواب وقبيح (استكتاب)^(٢) أهل الكتاب " : ليث شعري أي شي أغفل [من]^(٣) ولالة الأمور حتى نبذوا كتاب الله ، وأعرضوا عما ورد في ذلك عن سيد المرسلين ، وسلكوا هذا المسلك الذميم من تقريب أعداء الله [تعالى]^(٤) ، وإعزازهم على المسلمين ، وتعظيمهم (وامتثال أقوالهم)^(٥) ، واستكتابهم ، (واستئمانهم)^(٦) ، [على المسلمين]^(٧) مع أنهم خانوا الله رب العالمين [ورسوله محمد الصادق الأمين]^(٨) ، وجبلت قلوبهم على بغض الإسلام ومعادات سيد الأنام ، فلو أنهم يعطوا لأرباب الدولة في كل يوم وزن جبل من المال ، ما استحقوا أن يعاملوا بهذه الفعال ، فقد مكنوهم من المسلمين ، فأهانوا أهل الدين بجلوسهم في تعاطي كتاباتهم ، والمسلمون بين أيديهم على أقدامهم قائمين ، فما أقبح هذه السيرة في هذه الديار ؟! وما أشنع سمعة^(٩) هذه الفضيحة في سائر الأقطار ؟! وهم يأخذون أموال الرعايا بمصانعة ورشا [ويفتخرون]^(١٠) بسرقة أموال الخاصة ، فلقد ذهب مال من أساء منهم ، وخاب وخسر والله من استخدمهم ، فلو سلكت أذكر قبح أفعالهم لضاقت المجلدات ، ولو استقصيت مكرهم

(١) القائل هو : علي بن محمد بن عبد العزيز بن فتوح الثعلبي الشافعي ، تاج الدين ، المعروف بابن الدريهم وبابن أبي الخير ، ولد سنة ٧١٢ هـ ، وتوفي سنة ٧٦٢ هـ ، ترجم له ابن حجر في الدرر الكامنة (٣ : ١٠٦) ، والشوكاني في البدر الطالع (١ : ٤٧٧) . والكتاب ذكره في كشف الظنون (١٨٨٢/٢) .

(٢) في (ص) اكتتاب .

(٣) من (د) .

(٤) من (ص) .

(٥) ليست في (د) .

(٦) ليست في (د) .

(٧) من (د) ، (ص) .

(٨) من (د) ، (ص) .

(٩) ليست في (ص) .

(١٠) من (ص) .

بالمسلمين لسكبت العبرات ، (قبحهم الله من طائفة تمكنوا في بلاد الإسلام ، وأهانوا أهل الأنام ، وولاة الأمور عن أفعالهم القبيحة غافلون ، وعن استهانتهم أهل الملة المحمدية متغافلون ، فيالها من مصيبة وأي مصيبة ، فإننا لله وإنا إليه راجعون .

قال رسول الله ﷺ : " من قر صاحب بدعة فقد أعان على هدم الإسلام " ^(١) هذا فيمن يوقره لو كان مسلماً فكيف بمن يسلطه على المسلمين ؟ مع أنه من [القوم الكافرين] ^(٢) ، فلقد والله أهان حرمة الإسلام وآذى أمة محمد عليه أفضل الصلاة والسلام ^(٣) .

فيجب على ولاة أمور المسلمين المبادرة برفع [أيدي] ^(٤) هؤلاء الكافرين عن القوم المؤمنين ، ومنعهم أن يلوا كتابة وعملاً في ديوان من الدواوين ، (فمن ولاهم شيئاً من ذلك ولم يعمل بأوامر الله تعالى فيخشى عليه أن يتبوأ في غضب من الله (فيصير كمن زلت به القدم) ^(٥) ، ويندم حيث لا ينفعه الندم ، فقد قامت الحجج على من خالف الأوامر ، وتحقق الوعيد على من والاهم أن تدور عليه الدوائر ، وليس العجب ممن وقف على هذا الكتاب وما حواه وعمل بما فيه ، وناذ أعداء الله ، وأهانهم ، (وأبعدهم) ^(٦) ، وعزلهم عن ديوانه ، وطردهم ، وإنما

(١) أخرجه الطبراني في الأوسط (٦٧٧٢) ، حدثنا محمد بن أبي زرعة نا هشام بن خالد نا الحسن بن يحيى الخشني عن هشام بن عروة عن أبيه عن عائشة قالت : قال رسول الله ﷺ : " من قر صاحب بدعة فقد أعان على هدم الإسلام " .

وهذا حديث لا يصح ، فالحسن بن يحيى الخشني ، قال النسائي : ليس بثقة . وهو مرسل أيضاً ، فإبراهيم بن ميسرة من التابعين لم يدرك النبي ﷺ . انظر ترجمته في تهذيب الكمال (٢٢١/٢) .

(٢) في (ص) أهل الذمة والخيانة في الدين .

(٣) ليست في (د) .

(٤) من (ص) .

(٥) ليست في (ص) .

(٦) ليست في (ص) .

العجب ممن وقف عليه ولم يمنعهم ، وأقرهم على ما هم عليه من سوء الحال وقبح الأفعال ، واتخاذهم كتاباً ، وتقليدهم غالب الأعمال^(١) ، فمن أعرض عن العمل بما ورد في حقهم من هذه الآيات الصريحة ، ولم يعمل بما جاء في حقهم من الأحاديث الصحيحة فسبيله سبيل المعاند (لكتاب الله)^(٢) ، المعرض عن سنة (رسول الله ﷺ) ^(٣) ، (المؤثر هواه على رضى مولاه)^(٤) ، بل ربما يكون هو المراد بقول الله العزيز الحكيم : ﴿ فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ ﴾^(٥) ، فينبغي الإعراض عنه كما قال الله عز وجل : ﴿ فَأَعْرِضْ عَنْ مَنْ تَوَلَّى عَنْ ذِكْرِنَا وَلَمْ يُرِدْ إِلَّا الْحَيَاةَ الدُّنْيَا ﴾^(٦) ، فحينئذ يخاف عليه حلول غضب الله تعالى ، وشدة انتقامه ، ونزول سخطه وبلائه ، (أيقظنا الله من سنة الغفلة ، وجنبنا ما يورث المقت والذلة ، إنه على ما يشاء قدير وبالإجابة جدير ، وبعباده لطيف خبير)^(٧) .

روي [أن]^(٨) أمير المؤمنين عمر بن الخطاب رضي الله عنه^(٩) كتب إلى [أبي]^(١٠) موسى الأشعري^(١١) وكان عاملاً له على بعض الأعمال :

(١) ليست في في (د) ، (ص) .

(٢) في (د) للكتاب المبين .

(٣) في (د) سيد المرسلين .

(٤) ليست في (د) ، (ص) .

(٥) سورة النور ، آية رقم (٦٣) .

(٦) سورة النجم ، آية رقم (٢٩) .

(٧) ليست في (د) ، (ص) .

(٨) من (د) .

(٩) تقدمت ترجمته ، ص ٧٧ .

(١٠) من (د) و(ص) .

(١١) من كبار صحابة الرسول ﷺ ومن أداهم صوتاً بالقرآن ، انظر ترجمته في تهذيب الكمال (١٥/٤٤٦) .

أما بعد فإن أسعد الولاية من سعدت به رعاياه ، (وأشقاها من شقيت به رعاياه) ^(١) ... وقال في آخر مكتوبة : إذا قرأت كتابي هذا فأقدم علي بكتابك لعمل الحساب .

فلما قرأ الكتاب بادر بالوصول إلى حضرة أمير المؤمنين عمر بن الخطاب رضي الله عنه ، فوافاه في مسجد النبي صلى الله عليه وسلم فدخل فسلم ، فرد عليه السلام فرأى عمر رضي الله عنه بركاً عظيماً وأحمالاً كثيراً تتبع أبي موسى فقال : ما هذا ، ألم أمرك أن لا تقبل من أحد شيئاً ؟ وقد بلغني أنه [قد] ^(٢) فشت لك فاشية من إبل وبقر وغنم ، ولا أعلم لك ذلك قبل اليوم .

قال : يا أمير المؤمنين ، والله أني منذ وليت لم أخن الله ولا رسوله ولا بيت مال المسلمين ، ولكنني أعاني من الزراعة والتجارة ما تحصل منه ما قد رأيت ، وإن الذي أهدى إلي لم أقبل منه (شيئاً) ^(٣) إلا من أهدى إلي قبل دخول المدينة .

قال : فلم لا (أهدي) ^(٤) إليك وأنت في [بيت] ^(٥) أمك ، أنا لا أعرف ذلك .

ثم أمر بجميع ما (قدم) ^(٦) به وأدخل بيت مال المسلمين ، ثم جلسا لعمل الحساب فقال له أمير المؤمنين : ادع كاتبك .

قال : إنه لا يدخل المسجد .

قال : أجنب هو ؟

(١) ليست في (د) ، (ص) .

(٢) من (ص) .

(٣) ليس في (ص) .

(٤) في (ص) أهدوا .

(٥) من (د) ، (ص) .

(٦) في (ص) تقدم .

قال : لا ، ولكنه ذمي .

فلما سمع ذلك أمير المؤمنين غضب [ﷺ] ^(١) (غضباً شديداً) ^(٢) وقال : اتخذت لك بطانة من دون المؤمنين ، أما قد نهيتكم عن استعمال أهل الكتاب ، اتدّونهم وقد أبعدهم الله ؟ وتكرموهم وقد أهانهم الله ؟ وتصدقونهم وقد كذبوا على الله ؟ وتستأمنوهم وقد خانوا الله ؟ تولونهم على المسلمين بعد قول الله (عز وجل) ^(٣) : ﴿ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَاِنَّهُ مِنْهُمْ ﴾ ^(٤) ، ويحك والله يوشك أن يحل بك غضب الله وسخطه ، يا أخي ألا تستحي من الله رب العالمين . فكأنني بك وقد أخذك الزبانية سحياً على وجهك إلى النار ^(٥) .

فانظر هذا الزجر العظيم الشديد ، والتهديد والوعيد (على من استكتبهم) ^(٦) ، فالواجب المتعين على ولاية الأمور أن لا (يولوهم) ^(٧) عملاً من الأعمال ، (ولا يتخذوهم [عمالاً] ^(٨) على شيء من (الأموال) ^(٩)) ^(١٠) ، فمن اتعظ

(١) من (ص) .

(٢) ليست في (د) ، (ص) .

(٣) في (ص) تعالى .

(٤) سورة المائدة ، آية رقم (٥١) .

(٥) كذا ساقه المصنف مطولاً ، وقد أخرجه مختصراً ابن أبي شيبة في مصنفه (٣٤٤٤٨) ، وأبو

نعيم في الحلية (٥٠/١) من حديث سعيد بن أبي بردة قال : كتب عمر إلى أبي موسى ...

فذكره مختصراً ، وهو مرسل ؛ لأن سعيد بن أبي بردة لم يلحق عمر ؛ لأن العلماء قد نصوا

على أنه لم يدرك الحكم بن عتيبة وهو تابعي ، فمن باب أولى أن لا يلحق عمر . وانظر

ترجمته في تهذيب الكمال (٣٤٥/١٠) .

(٦) ليست في (د) ، (ص) .

(٧) في (ص) يولونهم .

(٨) في (ص) كتاباً .

(٩) في (ص) الأمور .

(١٠) ليست في (د) .

بما سمع من هذه الآيات (البينات) ^(١) فقد فاز من الله عز وجل بأرفع الدرجات ،
ومن تساهل في ذلك (ولم يعمل بكتاب الله) ^(٢) فقد باء بغضب من الله (تعالى) ^(٣)
واستوجب العذاب الأليم ، كما ورد في الكتاب المكنون : ﴿ وَمَا كَانَ اللَّهُ لِيُضِلَّ
قَوْمًا بَعْدَ إِذْ هَدَاهُمْ حَتَّى يُبَيِّنَ لَهُمْ مَا يَتَّقُونَ ﴾ ^(٤) .

(١) ليست في (ص)

(٢) ليست في (د) .

(٣) ليست في (ص) .

(٤) سورة التوبة ، آية رقم (١١٥) .

فصل

في الحث على عدم التحجب

[وإن مما] ^(١) يجب ويتعين على ولي الأمر أن لا يتحجب عن الرعايا فربما جاء [مظلوم] ^(٢) في وقت من الأوقات ، فيجد ولي الأمر متحجباً ، (فلا يظفر بمراده) ^(٣) ويعود منكسر خاطر سائطاً ، فإنه ليس شيء أضيع للملك ولا أفسد لأحوال الرعايا من التحجب ، وتعذر الإذن في الدخول على ولي الأمر ، وليس شيء أهيب في قلوب العمال والرعايا من سهولة الحجاب ، فإذا كان الملك سهل الحجاب لم يكن للعمال أن [يجوروا] ^(٤) على الرعايا ، وخاف الرعايا أن يجور بعضهم على بعض (سهولة حجاب الملك ؛ لأنه يكون له اطلاعاً على سائر أحوال العمال) ^(٥) ، فينبغي أن يأمر الحجاب أن لا يحجبوا عنه متظلماً ، ولا يمنعوا عنه ذو حاجة (ولا شاكياً) ^(٦) .

فقد كان الملوك العادلون لا يغفلون عن مثل (هذه الأحوال إنما شغلهم ودأبهم) ^(٧) الجلوس في تعاطي مصالح المسلمين بالغدو والآصال .

(١) في (الأصل) وإنما ، والمثبت من (د) .

(٢) من (د) ، (ص) .

(٣) في (د) ولا يبلغ حاجة .

(٤) في (الأصل) يجور ، والمثبت من (د) .

(٥) ليست في (د) .

(٦) ليست في (د) .

(٧) في (د) هذا وإنما كان شأنهم ودأبهم .

وكان [أمير] ^(١) المؤمنين عمر بن الخطاب رضي الله عنه ^(٢) يوصي عماله : [أن] ^(٣)
 (لَا تَغْلُوا) ^(٤) وَلَا تَغْلِقُوا أَبْوَابَكُمْ دُونَ ذَوِي الْحَاجَاتِ ، فَإِنَّهُ يَجِبُ عَلَيَّ أَنْ أَسَافِرَ
 [فِي أَقْطَارِ الْأَرْضِ] ^(٥) لِأَنْظُرَ فِي أَحْوَالِ الرِّعَايَا فَإِنْ فِيهِمْ الضَّعِيفُ وَالْعَاجِزُ الَّذِي
 لَا يَسْتَطِيعُ الْوَصُولَ إِلَى شَكْوَى ظُلُومَتِهِ ^(٦) .
 ولما قلد معاوية ^(٧) ولده يزيد ^(٨) عملاً من الأعمال اتخذ حجاباً يحجبون
 الناس ، وكان لا يخرج للحكومات إلا أحياناً (لتحجبه ، وربما لتعاطيه أشياء أدته
 إلى الحجاب) ^(٩) فشكا الناس [لوالده] ^(١٠) معاوية أمير المؤمنين فكتب إليه يقول له
 هذه الأبيات ^(١١) :

شعر :

-
- (١) في (الأصل) ، الأمير أمير ، والمثبت من (د) و (ص) .
 (٢) تقدمت ترجمته ، ص ٧٧ .
 (٣) من (د) .
 (٤) ليست في (د) ، (ص) .
 (٥) من (د) ، (ص) .
 (٦) أخرجه عبد الرزاق في المصنف (٣٢٤/١١) ومن طريقه البيهقي في الشعب (٢٤/٦) من
 حديث عن معمر بن عاصم بن أبي النجود أن عمر بن الخطاب .. فذكره . وعاصم لم يلحق
 عمر فالحديث مرسل ، وانظر ترجمته في تهذيب الكمال (٤٧٣/١٣) .
 (٧) تقدمت ترجمته .
 (٨) هو يزيد بن معاوية ، ولي الخلافة بعد وفاة أبيه معاوية رضي الله عنه بعهد منه ، توفي سنة ٦٤ هـ .
 انظر ترجمته في : المعارف (٣٥١) ، وجمهرة الأنساب (١٠٣) وغيرها .
 (٩) ليست في (د) .
 (١٠) في (الأصل) لولد ، والمثبت من (د) .
 (١١) ليست في (د) ، (ص) .

أنصب نهاراً في طلب العلا واصبر على فقد [لقاء] ^(١) الحبيب
حتى إذا الله أتى مقبلاً واكتحلت بالغمض عين الرقيب
فبادر الليل بما تشتهي فإنما الليل نهـار الأريب
كم من فتى تحسبه ناسكاً يستقبل الليل بأمر عجيب
ولذة الأحق مكشوفة يسعى بها كل عدو رقيب

فلما وصل الكتاب إليه ألقع عما كان فيه من الحجاب ، وكان يجلس لتعاطي
مصالح (المسلمين) ^(٢) من شروق الشمس إلى (الغياب) ^(٣) ^(٤) .

ولما آلت الخلافة إلى أبي جعفر المنصور ^(٥) أخي السفاح ^(٦) احتجب عن
الناس ، واتخذ على أبوابه حجاباً وحراساً بالسلاح ، وأبواب الحديد ، فشق

(١) في (الأصل) طلاب ، والمثبت من (د) ، (ص) .

(٢) في (د) الرعايا .

(٣) في (د) غروبيا .

(٤) ند أجد تلك القصة مسندة .

(٥) هو عبد الله بن محمد بن علي العباسي الهاشمي الخليفة الثاني في الفترة العباسية ، توفي سنة

١٥٨ هـ وانظر ترجمته في : المعارف (٣٧٧) ، وتاريخ الطبري (٤٦٩/٧) ، ومروج الذهب

(٢٢٨/٢) ، وتاريخ بغداد (٥٣/١٠) .

(٦) هو عبدالله بن محمد بن علي أبو العباس الهاشمي العباسي ، الملقب بالسفاح ؛ لكثرة ما أريق

من دم في عهده ، أول الخلفاء العباسيين ، توفي سنة ١٣٦ هـ . وانظر ترجمته في : السير

(١٧/٦) ، وطبقات خليفة (٤٠٩) ، وتاريخ بغداد (٥٣/١٠) ، وفوات الوفيات (٢١٥/٢) .

ذلك على الرعايا ، وحصل لهم (بسبب التحجب) ^(١) غاية الضيق (والنكال) ^(٢) ، ولم يتجاسر عليه أحد يذكر [له] ^(٣) ذلك.

فلما حج البيت فبينما هو طائف ذات (يوم) ^(٤) ^(٥) بالبيت إذ سمع قائلاً يقول : اللهم أشكوا إليك ظهور البغي والفساد ، وما يحول بين المرء والحق .
فلما سمعه المنصور أمر بوضع الكرسي فجلس عليه ، وطلب القائل فأحضر بين يديه فقال له :

ما الذي (سمعتك تقول) ^(٦) ؟

قال : ولي الأمان يا أمير المؤمنين ؟.

قال : ولك الأمان .

فقال الرجل : يا أمير المؤمنين إن الله [تعالى] ^(٧) قد استرعاك أمر عباده وأموالهم ودمائهم ، فجعلت بينك وبينهم حجاباً وحراساً بالسلاح وأبواب الحديد ، (وجعلت) ^(٨) عمالاً في جباية الأموال وجمعها لك ، وحجبت عنك المظلوم ، ووليت [أمره] ^(٩) غيرك ، فلما رأت عمالك منك ذلك قالوا : هذا (خان) ^(١٠) الله تعالى فنخونه ، فتآمروا أن لا يصل إليك من أمور الناس إلا ما أحبوه لأنفسهم ،

(١) ليست في (د) .

(٢) ليست في (د) .

(٣) من (ص) .

(٤) في (د) ليلة .

(٥) زاد في (د) طائفا .

(٦) في (د) سمعته نقوله .

(٧) من (د) ، (ص) .

(٨) في (د) ، (ص) : وبعثت .

(٩) في (الأصل) أمرهم والمثبت من (د) ، (ص) .

(١٠) في (د) ، (ص) خوان .

فلما انتشر ذلك عنك (وعنهم) ^(١) هابهم الناس ، وصانعوهم بالهدايا والأموال ، وإن طلبك الناس أو المظلوم حيل بينك وبينهم ، وإذا ألح المظلوم في طلبك ضرب بين يديك ضرباً مبرحاً وأنت ترى وما تتكر ، فما أبقي المسلمون على هذا يا أمير المؤمنين ؟ ولقد رأيت في ملك الصين عدلاً ما رأيت في المسلمين ، وهو أنه أصيب بسمعه فدخلت عليه يوماً فوجدته يبكي فقلت : ما يبكيك أيها الملك ؟

قال : لست أبكي لما نزل بي من هذه المصيبة - يعني الصمم - ولكنني كنت أسمع صريخ المظلوم ببابي فأزِيل مظلُمته والآن يصرخ ببابي فلا أسمع ، ولكن نادوا في الناس : كل من كان مظلوماً فليلبس ثوباً أحمر ، ثم [صار] ^(٢) يترقب أمور الناس آناء الليل وأطراف النهار ، إن رأى مظلوماً أزال ظلامته ، هذا وهو كافر بالله تعالى بلغت رأفته بالكافرين ، فكيف وأنت مؤمن بالله تعالى لا رأفة لك بالمؤمنين ؟

قال : فبكي المنصور حتى غشي عليه ، فلما أفاق طلب الرجل فلم يجده فقال المنصور :

لعل هذا ملك من الملائكة أرسله الله تعالى إليّ ليوقظني به ، فأمر برفع الحجاب ولزم الجلوس من حينه من أول النهار إلى آخره ^(٣) .
ولما ولى أحمد بن طولون ^(٤) نيابة الديار المصرية حصل منه من الظلم ما لم يعهد قبل .

(١) ليست في (ص) .

(٢) من (د) . (ص) .

(٣) أورده الأتليدي في أخبار البرامكة (٢٠١٩) .

(٤) هو سلطان مصر : أحمد بن طولون التركي في عهد الخلافة العباسية ، وكان بطلاً شجاعاً مقداماً مهيباً سائساً جواداً ممدحاً من دهاة الملوك ، وكان فيه عدل غير أنه كان سفاحاً سفاكاً ندماء ، وتوفي بمصر في شهر ذي القعدة سنة سبعين ومئتين .

ونظر ترجمته في : سير أعلام النبلاء (٩٤/١٣) ، وتاريخ الطبري (٣٦٣/٩) . والمنظم تذهبي (٧١/٧) ، والكامل لابن الأثير (٤٠٨/٧) وغيرها .

فلما اشتد الأمر على الرعايا أتوا إلى السيدة نفيسة ^(١) يشكونه إليها فقالت
نهم : متى يركب ؟

فقالوا : في غد .

فكتبت رقعة ووقفت في طريقه ونادته : يا أحمد .

فلما رآها ترجل عن فرسه وأخذ الرقعة من يدها وقرأها وإذا فيها مكتوب :
ملكتم فأمرتم ، وقدرتم فقهرتم ، وردت إليكم الأرزاق فقطعتم (ومنعتم) ^(٢) ، هذا
وقد علمتم أن سهام الأسحار (نافذة) ^(٣) غير مخطئة ، لا سيما من قلوب
أوجعتموها . وأكباد جوعتموها ، وأجسام عريتموها ، فمحال أن يموت المظلوم
ويبقى الظالم ، ولكن اعملوا ما شئتم فإننا صابرون وجوروا فإننا إلى الله
مستجيرون . وسيعلم الذين ظلموا أي منقلب ينقلبون .

فلما قرأها غشى عليه ، [فلما أفاق من غشيته] ^(٤) أقلع عن جميع ما (أحدث)
^(٥) في زمانه من البدع والمظالم ، وعدل في (رعيته) ^(٦) حتى (كانت الذئاب) ^(٧)
مع الغنم تسرح فلا يحصل منها ضرر مطلقاً ^(٨) .

(١) هي السيدة الطيبة المباركة : نفيسة بنت الحسين بن زيد بن سبط النبي ﷺ الحسن بن علي
رضي الله عنهم جميعاً ورفع قدرهم ، كانت بمصر ، وتوفيت سنة ٢٠٨ هجرية ، وانظر
ترجمتها في : وفيات الأعيان (٤٢٣/٢) ، والعبر (٣٥٥/١) ، والبداية والنهاية (٢٦٢/١٠) ،
وحسن المحاضرة (٥١١/١) ، وشذرات الذهب (٢١/٢) .

(٢) ليست في (د) ، (ص) .

(٣) في (د) مصيبة .

(٤) من (د) .

(٥) في (د) حدث .

(٦) في (د) الرعية .

(٧) في (د) كان الذئب .

(٨) لم أجد تلك الحكاية ، وهي كذب ، فإن السيدة نفيسة رحمها الله تعالى توفيت سنة ٢٠٨ هـ ،
وأحمد بن طولون توفي سنة ٢٧٠ هـ ، فلا يلتقيان .

فعليك يا ملك الزمان بسلوك طريق هؤلاء (الملوك الذين [بحسن] ^(١) السيرة تقدموك) ^(٢) فقد كان دأبهم التيقظ لأحوال العباد ، والنظر في عمران القرى والبلاد ، فانظر في أحوال من تقدمك من الخلفاء الراشدين والأئمة المهتدين ، الذي قضوا بالحق وبه كانوا يعدلون ، فإن لم يمكنك يا ملك الزمان فلا أقل أن تنظر بعدك (كسرى أنوشروان) ^(٣) فقد اتصف بالعدل إلى آخر دهر الداهرين ، مع أنه كان من يحكي أن رسول الله ﷺ قال أو كما قال القائل : بعثت في زمن الملك العادل . فلما سمع الصديق ذلك من رسول الله ﷺ قال : يا رسول الله إني رأيت منه عجباً أحببت أن أذكره لك ، قال قائل : مضيت تاجراً إلى بلاده في زمان الجاهلية وكان معي أربعمئة حمل فاشتراها مني وزيره ولم ينفذ إلى الثمن ومطلني أياماً ، وسار أصحابي وتخلفت عنهم ولم يعطني مرادي ، وكوى بالمطل فؤادي ، فقصدت صيرفياً وحدثته خفياً فقال لي : اقصد كسرى في ديوانه ، ولم يردني أحد من أعوانه ، فلما أبصرني الوزير دعا الترجمان وأوصاه أن لا يوصل شكايتي أنوشروان ، فلما وقفت بين يدي كسرى قال للترجمان : ما الذي يريد هذا ؟

قال : خلعه فقد جاء من مكان بعيد .

فقال : أعطوه قفطاناً وألف درهم .

فرجعت للصيرفي وأخبرته بذلك فقال : لم يفصح الترجمان له عن حاله ، ولكن عد إليه من الغد ، فعدت إليه ، ففعل بي كما فعل أولاً إلى أن تكرر وقوفي له ثلاث مرات ، وهو يعطيني في كل مرة خلعه وألف درهم ، فأتيت في اليوم الرابع فإذا ترجمان غير ذلك الترجمان وكان له سبع تراجمين لكل يوم واحد .

(١) في "الأصل" يحسنوا ، والمثبت من (د) ، و(ص) .

(٢) ليست في (د) .

(٣) تقدم التعريف به .

وكان لكسرى أنو شروان جارية عربية يميل إليها فقال لها : إن أعرابي ورد علي فرأيت منه عجباً قد تكرر وقوفه علي وأنا أعطيه كل مرة خلعه وألف درهم . فرأيت عنده زيادة طمع المركب في الخليفة .

فلما أتيت في اليوم الرابع جاءت إليّ الجارية واستخبرت مني فأخبرتها بقصتي ورجعت ولم أشعر أنها جارية الملك ، فلما أصبحت أتيت وجدته الوزير والتراجمين الثلاثة مصلوبين على باب القلعة ، فلما أبصرني الملك ناداني فقربني إليه وأعطاني حقي وألف درهم زيادة عما كان لي وقال : اعذرنا . فلما سمع رسول الله ﷺ ذلك عجب من عدله مع كفره ^(١) .

فانظر يا ملك الزمان هذا كافر بالله تعالى بلغ في الكافرين أفلا ترضى أن تكون من العادلين ، قال الله تعالى : ﴿ فَوَرَبِّكَ لَنَسْأَلَنَّهُمْ أَجْمَعِينَ عَمَّا كَانُوا يَعْمَلُونَ ﴾ ^(٢) .

وقال عليه السلام : " أشد الناس حساباً يوم القيامة الأمراء " ^(٣) " ^(٤) .

فليكن دأبك أيها الملك المشي على سنتهم واتباع منهجهم ^(٥) ، وعليك بالاهتمام (التام) ^(٦) (بأمر) ^(٧) دينك ، وأداء ما فرض الله عليك ، (واجتناب ما

(١) هذا حديث موضوع لا أصل له ، قال الصنعاني في كتابه المصنوع في معرفة الحديث الموضوع (٣٩٠) : حديث ولدت في زمن الملك العادل ، قال الحفاظ : لا أصل له .

(٢) سورة الحجر ، آية رقم (٩٢ ، ٩٣) .

(٣) ما بين المعكوفين ليس في (د) .

(٤) لم أجد بهذا اللفظ ، والحديث أخرجه بلفظ آخر عبد الرزاق في المصنف (٣٢١/١١) ، ومن طريقه البيهقي في الشعب (٧٤٧٢) .

(٥) ما بين القوسين ليست في (د) .

(٦) ليس في (ص) .

(٧) في (ص) بأمور .

نَهاكَ عنه) ^(١) ، فإنك لن تقدر على إصلاح رعاياك ما لم تبدأ بإصلاح نفسك ،
(فاحذر كل الحذر أن يفقدك حيث أمرك ، أو يراك حيث نهاك ، فإنك إن فعلت
ذلك أعانك الله على إصلاح ولايتك) ^(٢) ، وعليك بالاجتهاد في إعدا الخلق ،
وانقياء برونق الحق ، وعدم الخروج عن قواعد الشرع الشريف (وقواعد نظام
الملك المنيف) ^(٣) ، لتحمد سيرتك ، وتخشى سطوتك ، وتقع (رهبتك) ^(٤) في
(قنوب) ^(٥) المفسدين ، فإن ذلك أعذر لك عند رب العالمين .

وعليك باحترام الصالحين ، وإكرام العلماء العاملين ، وملازمة الفعل
الجميل . واجتنب الفعل (الردى) ^(٦) الوبيل .

واعدل ما استطعت فإنك مجزي بالعدل عدلاً وبالجور جوراً ، فإن عدل
السلطان خير من خصب الزمان .

واعلم أن طباع الرعية نتيجة طباع الملك ، واقتداء الرعية في
كل زمان بالسلطان ، ألا ترى أنه إذا وصف بعض [البلاد] ^(٧) بالعمار وإن
أهلها في خصب وأمان ، كان ذلك دليلاً (على عدل السلطان وكماله) ^(٨) واستقامته
مع الله تعالى في السر والإعلان ، فقد صح قول القائل : الناس (بملوكهم) ^(٩)

(١) ليس في (ص) .

(٢) ليست في (د) .

(٣) ليست في (د) ، وفي (ص) وقوام الملك المنيف .

(٤) في (د) هيبتك .

(٥) ليست في (د) .

(٦) ليست في (د) .

(٧) في " الأصل " الزمان والمثبت من (ص) .

(٨) في (د) . (ص) على كمال عقل السلطان .

(٩) في (د) بملوكهم .

أشبهه منهم [يزمانهم] ^(١) ، قال سيد ولد عدنان : " [و] ^(٢) كما تدين تدان " ^(٣) .
 (وحاصل الأمر أن العدل في كل شيء محدود فالأولي أن لا يتعدى الحدود ، فإن قوانين قاعدة الملة المحمدية مؤسسة على القوانين العدلية ، إذ فيها من الحكم الإلهية ما يعجز عن إدراكها القوي (العلية) ^(٤) .
 قال الله تعالى في محكم البينات : ﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ ﴾ ^(٥) ،
 فمن العدل الشفقة ولين الجانب في الأقارب والأجانب ، والحكم المتوسط بين الغضب والسخط) ^(٦) .

واعلم يا ملك الزمان أنها أمانة الله قلدها الله تعالى في عنقك ، فإن عملت
 (بما أنزل الله تعالى فيها) ^(٧) أثبت وأجرت وفزت مع الفائزين ، وإن [حدثت] ^(٨)
 على الحق واتبعت الهوى وغرض النفس ، (ولم تعمل بما أمرك الله تعالى به
 ورسوله) ^(٩) خبت وخسرت [وخنث الله ورسوله] ^(١٠) وكنت من الهالكين .

(واعلم أنها الأمانة التي عرضت على السموات والأرض والجبال فأبين أن
 يحملنها وأشفقن منها وحملها الإنسان [إنه كان ظلوماً جهولاً] ^(١١) ، قال

(١) في " الأصل " بزمانه ، والمثبت من (د) ، (ص) وهو الأولى للسياق .

(٢) من (د) .

(٣) أخرجه عبد الرزاق في المصنف (٢٠٢٦٢) ، من حديث أبي قلابة عن النبي ﷺ ، وأبو قلابة تابعي ، فالحديث مرسل . وانظر تهذيب الكمال (٥٤٢/١٢) .

(٤) ليست في (ص) .

(٥) سورة النحل ، آية رقم (٩٠) .

(٦) ليست في (د) .

(٧) في (د) بما أمرك الله ورسوله .

(٨) في " الأصل " جررت ، والمثبت من (د) ، (ص) وهو الموافق للسياق .

(٩) ليست في (د) .

(١٠) من (د) .

(١١) من (ص) .

رسول الله ﷺ : " لتؤدن الحقوق إلى أهلها يوم القيامة حتى يقاد للشاة الجلحاء من الشاة القرناء " (١) .

فلأجل هذا الخطر العظيم تورع من هذا المقام الزاهدون [وشمر عن التلوث بالدنيا ذيل العابدين] (٢)، (قال الله تعالى ﴿وَلَا تَحْسَبَنَّ اللَّهَ غَافِلًا عَمَّا يَعْمَلُ الظَّالِمُونَ﴾ (٣) (٤) .

روى أبو ذر (٥) قال : قلت : يا رسول الله ألا تستعملني على عمل ؟
فضرب بيده على منكبي قال : يا أبا ذر إنك ضعيف ، وإنها أمانة ،
(وإنها) (٦) يوم القيامة خزي وندامة إلا من أخذها بحقها وأدى الذي عليه
فيها " (٧) .

ومما يجب ويتعين على ولادة الأمور بذل الجد والاجتهاد في النظر في
أحوال المساقى والجسور ، فإن ذلك من أهم المهمات وأضر الضرورات ، إذ هي
من أعظم المواد التي يستقيم بها نظام الملك وعمران البلاد ، فينبغي (للملك) (٨)
المبادرة لأحوالها والفحص عنها ، وأن يندب لها من الجند من يثق به [وبدينه] (٩)
وأمانته ومعرفته واستقامته ، بشرط أن لا يكون عنده طمع ولا التفات إلى الدنيا .

(١) أخرجه مسلم في صحيحه (٢٥٨٢) ، كتاب البر والصلة ، باب تحريم الظلم .

(٢) في " الأصل " وشمر عن ذيل الدنيا العابدون ، والمثبت من (د) ، (ص) .

(٣) ليست في (د) .

(٤) سورة إبراهيم ، آية رقم (٤٢) .

(٥) صحابي جليل اسمه : جندب بن جنادة الغفاري من كبار الصحابة وخيارهم ، الزاهد المشهور

الصادق اللهجة ، انظر الإصابة في معرفة الصحابة لابن حجر (١٢٥/٧) .

(٦) في (د) وهي .

(٧) أخرجه مسلم في صحيحه (١٨٢٥) ، كتاب الإمارة ، باب كراهة الإمارة بغير ضرورة .

(٨) ليست في (د) .

(٩) من (ص) .

فيندب لها في (بدري) ^(١) الوقت حال كون الأرض رطبة والعمل سهل ،
(ونيصحب معه من أهل المعرفة والخبرة من يثق به وبدينه) ^(٢) ، فيقوم عليها ،
ويتعاطى مصالحها بإصلاح (جرائفها) ^(٣) ، وصحة أخشابها ، واستحسان
أثوارها .

ولتكن الأثوار قادرة على العمل صالحة لذلك ، وليسلمها لخولة
(متدينين) ^(٤) مستقيمين ، ويجعل عليهم أميناً يحضر (علف دواب البهائم) ^(٥)
[ويعطي كل] ^(٦) منها حقه في العلف كاملاً ، (وليباشرها إلى [أكل] ^(٧) أن يتم
علفها) ^(٨) . وليكن الصرف عليها من بيت المال ، وكذا على عمالها ، (وعند أوان
العمل وتعليق الجرارييف لا يغفل عن العمل في إتقان الجرف وإحكامه) ^(٩) .

وليتتبع موارد [قوة] ^(١٠) الماء فيرد الماء عند طغيانها ، فيحكم عمله (حتى
يكون الجسر مانعاً حابساً للمياه ، ويشدد على العمال ويتوعددهم إذا حصل منهم
تقصير) ^(١١) ، فإن معظم الخراب من التهاون في أمر الجسور .

وكذا ينبغي الإمعان في أمر القناطر والمساقى الخراجية إذ القناطر من
جملة (الثغور) ^(١٢) ، فكل قنطرة ثغر من ثغور الإسلام ، وقد أحكمها الملوك

(١) في (ص) يرو .

(٢) ليست في (د) .

(٣) في (ص) جرارييفها .

(٤) في (د) مندوبين

(٥) في (ص) علفهم .

(٦) من (د) .

(٧) من (ص) .

(٨) ليست في (د) ، (ص) .

(٩) ليست في (د) ، (ص) .

(١٠) من (د) وفي (ص) دفع .

(١١) ليست في (د) ، (ص) .

(١٢) في (ص) الصور .

المتقدمون وأمعنوا في إحكامها ، وجعلوا لها قوانين يجب الفحص عنها (والتيقظ لأحكامها) ^(١) ، وعدم الغفلة عنها.

روي أن عبد الله بن عمر رضي الله عنه ^(٢) رأى والده في النوم بعد سنين فقال : يا أبتى ما رأيك (من منذ كذا وكذا) ^(٣) .

فقال : يا ولدي إن الأمر عظيم ليت أم عمر لم تكن ولدت عمر (قط) ^(٤) ، طوبي يا ولدي لمن لم يكن والياً ولا حاكماً .

فقال : يا أبتى أخبرني ماذا لقيت من ربك ؟

فقال : خيراً يا ولدي ، قد أوقفني الله تعالى بين يديه فعاتبني فكدت أهلك ، فمن بعض ما طالبني به بأن قال لي : يا عمر قنطرة بالعراق لم تحكم بناؤها وقعت فيها شاة فانكسرت [رجلها] ^(٥) .

فقلت : يا رب أين عمر وأين العراق ؟

فقال لي : أمر لم تقدر أن تحكمه فلم وليته ^(٦) .

فانظر (يا ملك الزمان) ^(٧) ، هذا عمر بن الخطاب مع تيقظه (وعدم

(١) ليست في (د) ، (ص) .

(٢) هو الصحابي الجليل الزاهد الخاشع العالم عبد الله بن عمر بن الخطاب رضي الله عنه وعن أبيه ، توفي سنة ٧٤ هـ .

انظر ترجمته في : طبقات ابن سعد (٣٧٣/٢) ، وطبقات خليفة (١٢٠) ، وحلية الأولياء (٢٩٢/١) ، ووفيات الأعيان (٢٨/٣) وغيرها كثير .

(٣) في (ص) يعد سنين منذ كذا وكذا .

(٤) ليست في (د) ، (ص) .

(٥) من (د) .

(٦) لم أجده .

(٧) في (د) أيها الملك .

غفلته^(١) وبذله الجد والجهد في العدل ، وهو أعدل (الأئمة)^(٢) بعد أبي بكر الصديق رضي الله (عنه)^(٣) (عوتب في ذلك)^(٤) حتى كاد أن يهلك ، مع جلاله قدره واتباعه الحق في سائر أفعاله ، وحرصه على (ملازمة الحق)^(٥) والعدل ، والعمل (بهما)^(٦) في ولايته ، نوقش في غفلته عن الاهتمام بعمل تلك القنطرة، (إذ)^(٧) هي [ثغر]^(٨) من ثغور الإسلام فكاد أن يهلك [بسببها]^(٩) ، فكيف بك (يا ملك الزمان)^(١٠) وفي (ملكك)^(١١) من القناطر والمساقى والجسور (التي لم تحكم أمرها ولم تتقن بناءها شيء كثير)^(١٢) ، وأنت عنه من الغافلين ، فتنبه لذلك وإلا خبت وخسرت وهلك (وكننت من الهالكين)^(١٣) .

([وبالجملة فلا بد من تيقظ الحكام للحث على صرف الجسور البلدية قبل الجسور السلطانية ، فإن الجسور البلدية يتساهل فيها من هي عليه ولا يعمل على جرفها عملاً متقناً ، لعلمه أن الحكام لا التفات لهم بها كالجسور السلطانية ، فيجب التيقظ لها والحث على عمالها في بدرى الوقت ، فإن كل جرف لم يكن شتوياً وإلا

(١) ليست في (د) .

(٢) في (د) : الأمة .

(٣) في (ص) عنهما .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) في (د) به .

(٧) ليست في (ص) .

(٨) في " الأصل " ثغور ، والمثبت من (د) وهو الصواب .

(٩) من (د) ، (ص) .

(١٠) ليست في (د) .

(١١) في (د) ، (ص) مملكتك .

(١٢) ليست في (د) .

(١٣) ليست في (د) ، وفي (ص) مع من هلك .

فهو كلاً شيء ؛ لأن المياه لا يحبسها إلا الجرف زمن الشتاء حتى يكون الطين رطباً .

فيعلم ولي الأمر ذلك لأن هذه المصلحة في الالتفات إليها والحث عليها عمران سائر البلاد^(١) ، فإن تنبّهت لها وأحكمت أمورها وأتقنت جرفها وصرفت (عزم همتك)^(٢) إنيها ، حبست المياه ، وأروت ما تحتها من البلاد ، واطمأن بذلك العباد . وخصبت الزراعات ، ونمت الغل ، وكثرت الأموال^(٣) فقد كان الملوك (الذين هم بالحكم تقدموك)^(٤) معظم اهتمامهم في أحكام الثغور ، وإتقان الجسور ، والذب عن الرعية ، والعمل بالعدل في كل قضية .

[وقد]^(٥) روي أن كسرى أنو شروان (المسمى بالملك العادل بتسمية سيد ولد عدنان)^(٦)

ظهر ذات يوم (أنه)^(٧) مريض ، وأن الطبيب وصف له لبنة قديمة من بلد خراب فأنفذ رجاله وطافوا أقطار (الأرض)^(٨) ثم عادوا فلم يجدوا قرية خراباً يأتوه بلبنة منها ، فأتوه خائفين ذاهلين لعجزهم أن يأتوه بلبنة من بلد خراب فأتوه (معتذرين)^(٩) : أيها الملك لك المعذرة ، فلقد طفنا أقطار مملكتك فلم نجد بلداً خراباً نأتيك منها بلبنة ففرح بذلك وقال : إنما أردت أن أختبر [حال]^(١٠) مملكتي

(١) ما بين المعكوفين ليس في (ص) .

(٢) في (ص) همتك .

(٣) ليست في (د) .

(٤) ليست في (د) .

(٥) من (د) ، (ص) .

(٦) ليست في (د) وتقدم النقل عن العلماء . أن هذا الحديث موضوع لا يصح .

(٧) في (د) وهو .

(٨) ليست في (د) .

(٩) في (د) ، (ص) معذورين .

(١٠) من (د) ، (ص) .

هل فيها قرية خراب فأعمرها ، فسر بذلك [سروراً كثيراً] ^(١) وسر أهل مملكته ،
(ووفد إليه رسول ملك الهندوستان) ^(٢) بمكتوب يقول فيه : انفذ إلى خراج مملكتك
لأنني أولى بالملك منك ، فقد أنفذت قدحا من بر [ليبذر] ^(٣) في مكان خال من
الزراع بعد ري الأرض ، فطافوا به (قطر) ^(٤) مملكتي فلم يجدوا مكاناً خال من
الزراع يبذر فيه ذلك القمح ، فتبين لي أن مملكتي أعمر من مملكتك [فأنفذ إليّ
خراج مملكتك] ^(٥).

فلما قرأ كسرى كتاب ملك (الهندوستان) ^(٦) أمر بإنزال الرسول منزلاً [ثم
أحضره] ^(٧) بالغد بالديوان .

ثم دعا بصندوق ففتحه (فأخرج منه صندوقاً آخر ففتحه) ^(٨) فأخرج منه
قبضة من حلفا ^(٩) فناوله إياها وقال له : هل في مملكتكم مثل هذا ؟
قال [الرسول] ^(١٠) : شيء كثير .

(١) من (د) ، (ص) .

(٢) في (د) وأرسل إليه ملك هندوستان .

(٣) من (د) .

(٤) في (د) أقطار .

(٥) من (د) ، (ص) .

(٦) في (د) الهند .

(٧) في " الأصل " إلى الغريم ، والمثبت من (د) .

(٨) ليست في (د) ، (ص) .

(٩) نوع من النبات وفي تهذيب اللغة (٤٥/٥) : وقال الليث الحلفاء نبات حمله قصب النشاب

الواحدة حلفة ، والجميع الحلف قلت الحلفاء نبت أطرافه مخدودة كأنها أطراف سعف النخل

والخوص ينبت في مغايض الماء والنزوز الواحدة حلفة مثل قصبه وقصباء وطرفة وطرقاء

وشجرة وشجرا وقد يجمع حلفاً وشجراً وقصباً وطرقاً وكان الأصمعي يقول الواحدة حلفة .

(١٠) من (د) ، (ص) .

فقال كسرى : ارجع إلى صاحبك وقل له : يجب عليك أن تعمّر ولايتك فإنها خراب ، فكيف تطمع في ولاية عامرة فإنك لو طفت (قطر) ^(١) مملكتي لا تجد فيها أصلاً من حلفاء ، ولو بلغني أن في مملكتي عوداً واحداً من حلفاء لصلبت عامل تلك الولاية .

فانظر (يا ملك الزمان) ^(٢) كيف كان اهتمام من تقدمك من الملوك في عمران البلاد وتوطين العباد وأمن السبل وحفظ الأراضي أن لا يحصل فيها [أدنى] ^(٣) شيء من الشراقي ، أو أدنى بقعة (يحصل) ^(٤) فيها غير ما (تزرعون) ^(٥) .

فيجب عليك (يا ملك الزمان) ^(٦) أن تسلك طريق (الملوك) ^(٧) الذين ينشر عدلهم في الرعايا (فمتى لم تعمل بالعدل في مثل هذه الأمور ، وإلا فأنت غني مغرور) ^(٨) .

(وإن مما يجب) ^(٩) ويتعين على ولاة الأمور أن يصرفوا همهم فيما يتعلق بمنصب الاحتساب [وهو منصب أمير المؤمنين عمر بن الخطاب رضي الله عنه] ^(١٠) فقد تولاه بنفسه فعدلت السوق خوفاً من سطوته (وبأسه) ^(١١) ، فقد كانت درته أهيب

(١) في (د) أقطار .

(٢) في (د) أيها الملك .

(٣) من (ص) .

(٤) في (د) ، (ص) ينبت .

(٥) يزرع .

(٦) في (د) أيها الملك .

(٧) ليست في (د) .

(٨) ليست في (د) .

(٩) في (د) ، (ص) ومما يجب .

(١٠) من (د) .

(١١) ليست في (د) .

من سيف (الحجاج) ^(١) ، فإن هذا الأمر كل إليه محتاج كبيراً كان أو صغيراً ،
(فقيراً كان أو أميراً) ^(٢) ، فإن سوقة هذا الزمان لا أحداً أطغى ولا أظلم منهم ،
وقد ورد : " حاسبوا السوقة فإنه لا ذمة لهم " ^(٣) .

(فيجب ويتعين على ولي الأمر أن ينظر في أمر رعاياه إذا وقعت في نائبة
من نوائب الدهر كضيق معيشة ، أو قحط زمان ، أو غلو أسعار ، فليبادر للتوقيظ
لذلك والفحص بنفسه عما هنالك ، ولا يكل ذلك إلى غيره ، فإن محتسبي هذا
الزمان كل منهم خبيث (لبيث) ^(٤) خوان) ^(٥) .

وهذا (الباب) ^(٦) من الأمور المهمة التي لا ينبغي أن يغفل عنها ، ولا
يتساهل فيها ، فإن كل أحد محتاج إليها ، فيأمر بإحضار أرباب الخبرة ، ويأخذ
الأشياء من أهلها والبضائع من مواردها ، ويتساعل عن [أصل] ^(٧) كل شيء
ومادته . ومن أين يحصل ذلك ، كل حرفة بأرباب حرفتها ، ولا يثق بأحد إلا بمن
اختبر دينه وأمانته واستقامته ، فإذا اتضح وظهر له خيانة من أحد قابله بما هو
يستحقه والبطش فيه ليرتدع غيره ، ويلزم كل أحد الاستقامة وعدم الخيانة ، هذا
في شأن أرباب الخبرة إن خان منهم أحد وأخبر بخلاف الواقع) ^(٨) .

(١) تقدمت ترجمته .

(٢) ليست في (د) .

(٣) في كشف الخفاء (١٠٩٣) : قال الحافظ ابن حجر : ورد بسند ضعيف لكن بلفظ " ماكسوا
الباعة فإنه لا خلاق لهم " .

(٤) في (ص) لبيث المال ، والنبيث من اللبث والمكوث ، أي أنه على يلبث على خبثه لا يتحرك
عنه ، انظر تاج العروس في شرح القاموس للزبيدي (٣٣٩/٥) .

(٥) ليست في (د) .

(٦) ليست في (د) .

(٧) من (ص) .

(٨) ليست في (د) .



ولا يعتمد ولي الأمر في هذه المواد على متولي الاحتساب فقد انخرم نظام الاحتساب وصار المحتسب (عاملاً) ^(١) مكاساً ليس عنده استقامة ، وليس في قلبه من خوف الله ذرة ، ^(٢) وقد شوهد منهم الخيانة الفاحشة وهي أن كل بضاعة وردت إلى الديار المصرية حكروها ، وحجروا على أهاليها أن لا يبيعوها إلا بمبلغ كبير ، وأرضوهم بذلك ، فإذا أرضوهم وقبضوه حصل منهم الإجازة لهم في البيع حين ذاك ، فعند ذلك أمنوا شر المحتسب فيتغالوا في بيع تلك البضاعة ، وهو أنهم يخزنونها فلا [ينظرها] ^(٣) أحد حتى يتشوقوا الناس إليها ، فيخرجونها شيئاً فشيئاً حتى يبيعونها بأعلى الثمن .

([وقد شوهد منهم ذلك في بيع القلقاس والعجوة والسمن وغير ذلك من البضائع . صاروا يخزنونها يطلبوا فيها الأسعار من عدم التفات الحكام إليهم ، وقد كان في الزمن السابق لهم قواعد وقوانين ، ولا يمكن أحد أن يتعدها ، ولا يجوز في بيعه ، ولا يطلب غلو سعرها .

وأما الحبوب التي هي معظمها فقد انتدبت إليها جماعات يشترونها ويدخرونها ، ويستغفلوا الحكام ويسافروا بها إلى بلاد النصارى يبيعونها لهم بأعلى الأسعار ، فقد عانوهم بها على المسلمين ، وهذا من أعظم المنكرات فيجب منعهم من ذلك] ^(٤) . وقد كان المحتسبون كلامهم من كلام ولاية الأمور ، ولا يجوز مخالفتهم في أمر من الأمور ، حتى إن المحتسب سابقاً من أصحاب أمير المؤمنين عمر بن الخطاب رضي الله عنه ^(٥) .

(١) في (د) معاملاً .

(٢) كتب هنا في (الأصل) : بلغ مقابلة .

(٣) كذا في الأصول الثلاثة .

(٤) ما بين شعكوفين ليس في (ص) .

(٥) ليست في (د) .

روي أنه مر يوماً بمجلس القاضي فوجده يتخلف عن الجلوس وأرباب
الحوائج ينتظرونه ، فعلق الدرة على مجلس حكمه بعد أن أنكر عليه [ذلك] ^(١)
يعني إن لم تبكر بالجلوس لتعاطي مصالح الرعايا وإلا فجزاؤك الصفع بهذه
الدرة ^(٢) .

فانظر انقلاب الدهر حتى صار المحتسب (عاملاً) ^(٣) مكاساً فاسقاً ، فينبغي
لولي الأمر (أن يتقرب إلى الله تعالى) ^(٤) بإمعان النظر في هذا الباب بنفسه فإن
كل أحد محتاج إليه والرعايا أحوج الخلق (إلى الإمعان في النظر في ذلك) ^(٥) ،
(خصوصاً فيما يتعلق في [الأقوات] ^(٦) ، فإن في خلق الله تعالى من الرعايا من
هو قليل الكسب (جداً) ^(٧) لا يتجاوز عمله في اليوم [والليلة] ^(٨) (نصفين) ^(٩) ،
فماذا يقوم بأوده ^(١٠) حال غلو (الأسعار) ^(١١) ، خصوصاً إذا كان كثير العيال [فلقد
مات غالب الرعايا من شدة الحال فلقد شوهد والله البعض من الرعايا يصبح
بالجوع إلى أن وقع فمات ، وكل ولاية الأمور عن هذا غافلون فإننا لله وإنا إليه
راجعون] ^(١٢) .

(١) من (ص) .

(٢) لم أجده .

(٣) ليست في (د) .

(٤) ليست في (د) .

(٥) في (د) إلى ذلك ، وفي (ص)

(٦) في " الأصل " الأقوال ، والمثبت من (د) وهو الصواب .

(٧) ليست في (ص) .

(٨) من (د) ، (ص) .

(٩) في (د) ، (ص) ثلاثة أنصاف .

(١٠) لاؤد أي الكفاية .

(١١) في (د) الأقوات .

(١٢) من (د) ، (ص) .

(فغلو الأسعار تؤدي الرعايا إلى ارتكاب المحرمات وما لا يجوز فعنه) ^(١) ، فإذا فحص ولي الأمر عن هذه المواد وألزم (على السوق عدم) ^(٢) الجور ، فذلك المراد ، (فقد ذهب الإنصاف من الناس فلم يبق عند أحد إنصاف) ^(٣) ، ولقد تولى بعض السوق على اعتماد الجور (والإجحاف) ^(٤) [واعتمدوا] ^(٥) غلو الأسعار و[تواصوا] ^(٦) على أخذ أموال الناس بالباطل ، [وقل] ^(٧) إيمانهم (بالله) ^(٨) (واليوم) ^(٩) الآخر .

(وأما الحنطة التي تخرج من الشون الشريفة لنفع الرعايا ، فيتصرف فيها المحتسب تصرف الملاك ، ولا يعطي رواتبها إلا لمن يرشيه بما يرضيه ، ولقد اتضح أن بعض المحتسبين رتب على طابونة ^(١٠) يباع الخبز فيها ديناراً كل شهر . وقيل كل أسبوع ، فانظر كم طابونة في مصر ، وأيضاً جعل على كل طابونة بطة تباع نصفاً ، وأما الطاحون فيجعلون الدقيق أصنافاً فيأخذون القلب فيبيعونه لليهود والوضايفية ^(١١) ، وما عدا ذلك من النخال والرداد والشعير يضمه لبعضه بعضاً ، ويجعله للرعايا خبزاً يباع في الأسواق بأعلى الأسعار ، ولا يخفى على ولي الأمر أعانه الله تعالى إن في مصر من الجماعات الأجناد أرشوا أعوانهم ،

(١) ليست في (د) .

(٢) في (د) كل منهم بعدم .

(٣) ليست في (د) .

(٤) ليست في (د) .

(٥) من (ص) .

(٦) من (د) ، (ص) .

(٧) في (الأصل) وعلى عدم ، والمثبت من (د) و(ص) .

(٨) ليست في (د) .

(٩) في (د) باليوم .

(١٠) الطابونة : هو المكان المخصص لبيع الخبز ، بلسان أهل مصر .

(١١) لم أستطع معرفة معنى تلك الكلمة ، ولعلها كلمة عامية مصرية تعني : أضياف البلد أو المارين بها .

وجعلوا أنفسهم سوقة يشترون البضائع ويبيعونها للرعايا بالجور في الأسعار ، ولا يقدر أحد أن يكلمهم من الرعايا ، ولا يقدر أحد يقول لهم : أعطوني حقي تماماً أو أنتم وزنتم لي بخساً ، ومتى قيل ذلك ضرب وسب .

وإن شكاهم إلى المحتسب فلا يحكم فيهم ، والقاضي لا يسمع عليهم دعوى . فينبغي لولي الأمر إمعان النظر في ذلك ، وطلب هؤلاء الأتراك إما أن يمنعهم من ذلك ، أو يأمرهم بالمشي على الاستقامة أو [أغاوتهم] ^(١) يمنعهم عن ذلك ، وكل من جار في بيعه أو حاف ، أدبه وزجره عن ذلك ، وقابله بما يستحقه ^(٢) .

ولابد البتة من تقنين قوانين (البضائع وتسعير أسعارها ويسجل) ^(٣) ذلك في السجل الشرعي ، وإجهار النداء بسعر كل بضاعة في أوانها .

(ولتكن [البداءة] ^(٤) في الحبوب أولاً ثم بسائر الأصناف ، وكل بضاعة بمعرفة أرباب الخبرة فيها ، وليجعل في كل محلة ^(٥) شخصاً من أهلها متدين يرجع أهل تلك المحلة إذا جار أحد في بيعه ، ولا يصلح لذلك إلا الحاكم الشرعي الذي في تلك المحلة .

وكل حاكم شرعي يلزم بأهل محلته أن ينظر في أحوالهم وأفعالهم وبيعهم وشرائهم ^(٦) ، وليجعل في كل محلة معروفاً متديناً ، يرجع القاضي إلى معرفته بالأسلوب السابق الذي كان عليه الحكام السابقون ، فإذا علم من ذلك السوق في

(١) في " الأصل " بأعوانهم ، والمثبت من (ص) .

(٢) ما بين القوسين بمعناه في (د) ، (ص) وإن لم يتفق في الألفاظ .

(٣) في (د) وتسعيرها وتسجيل .

(٤) في " الأصل " البضاعة ، والمثبت من (ص) .

(٥) أي موقع ومكان .

(٦) ليست في (د) .

سعر تلك البضاعة رجع إلى ولي الأمر أدبه وزجره واستخلص لذلك المشتري حقه . قال رسول الله ﷺ : " إذا وزنتم فأرجحوا " (١) .

وقال الله تعالى : ﴿ وَأَوْفُوا الْكَيْلَ وَالْمِيزَانَ ﴾ (٢) .

وقال : ﴿ وَأَوْفُوا الْكَيْلَ إِذَا كِلْتُمْ وَزِنُوا بِالْقِسْطَاسِ الْمُسْتَقِيمِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴾ (٣) .

وقال : ﴿ وَلَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ ﴾ (٤) .

فهذه المواد ينبغي أن لا يغفل عنها ولي الأمر ، قال رسول الله ﷺ : " ما من عبد ولاه الله تعالى أمر رعيته فغشهم ولم ينصح لهم ولم يشفق عليهم إلا حرم الله عليه الجنة " (٥) .

فيتعين على ولي الأمر النصيحة لرعاياه فلا يغشهم ، ولا يدع بعضهم يأكل مال بعض في صورة البيع والشراء ، وهو خوف وظلم وغلو في الأسعار ، فلا بد أن يلزم كل أحد منهم بالوقوف عند الحد المحدود له ، والقانون الذي وقع عليه القرآن ، فمن رآه تجاوز الحد ومشى على غير الاستقامة أدبه وزجره ، فإن تساهل في ذلك [وتغافل عنه] (٦) فهو مسيء مائل عن الحق خائن لرعيته ، غير ناصح لهم .

(قال رسول الله ﷺ : " من غش ليس منا ") (٧) (٨) .

(١) أخرجه ابن ماجه (٢٢٢٢) ، كتاب التجارات ، باب الرجحان في الوزن ، وإسناده صحيح كما قال الشيخ الألباني في صحيح الجامع (٨٢٥) .

(٢) سورة الأنعام ، آية رقم (١٥٢) .

(٣) سورة الأسراء ، آية رقم (٣٥) .

(٤) سورة البقرة ، آية رقم (١٨٨) .

(٥) أخرجه مسلم في صحيحه (١٤٢) . كتاب الإيمان ، باب استحقاق الوالي الغاش لرعيته النار .

(٦) من (ص) .

(٧) ليست في (ص) .

(٨) أخرجه مسلم في صحيحه (١٠٢) . كتاب الإيمان ، باب قول النبي ﷺ : " من غشنا فليس منا " .

قال رسول الله ﷺ : " والذي نفس محمد بيده لا يؤمن أحد حتى يؤمن بالله ويحب لأخيه ما يحب لنفسه " (١) .

معناه والله أعلم أن تعامل الناس بما عاملوك به ، واخترتة لنفسك ، وقيل : إن تنظر إلى الفقراء [بعين التواضع] (٢) ، وللأغنياء بعين النصيحة ، وأن تكون حالتك للناس لو كانت عليك رضيت بها ، فإن أم المعاصي ثلاثة : الكبر ، والحرص ، والحسد ، وإن هلاك الملوك في ثلاثة : المعصية ، والبغي ، والانفراد بالرأي ، فحينئذ لا بد أن يصرف همته لهذه المواد المتعلقة بأحوال السوق من العباد ، والفحص عن أحوالهم فإن سوقة هذا الزمان ليس في قلوبهم رافة ولا رحمة ، بل ولا خوف من الله تعالى في توفية الكيل والميزان .

قال رسول الله ﷺ : " لتؤدن الحقوق يوم القيامة إلى أهلها حتى يقاد للشاة الجلحاء من الشاة القرناء " (٣) .

فالحذر كل الحذر من المساهلة في هذه الأمور فلا يصدنك عنها يا ملك الزمان تشاغل الملك ، فإن تعاطي هذه الأمور والخدمة واجبة عليك ، وأنت مسئول عن ذلك يوم يسأل كل راع عن رعيته ، وإن معظم عذاب ولالة الأمور إنما هو من تساهلهم وغفلتهم عن هذه الأمور ، وتقليدهم لمن لا استقامة عنده ولا صدق ولا دين ولا إيمان .

فلا خلاص لك أيها الملك عند الله [إلا] (٤) إن توليت ذلك بنفسك وتعاطيته بذاتك ، أو بمن تعتمد على صدقه ودينه وأمانته واستقامته .

(١) أخرجه البخاري في صحيحه (١٣) ، كتاب الإيمان ، باب من الإيمان أن يحب لأخيه ما يحب لنفسه . ومسلم (٤٥) ، كتاب الإيمان ، باب الدليل على أن من خصال الإيمان أن يحب لأخيه المسلم ما يحب لنفسه من الخير .

(٢) في " الأصل " بالتواضع ، والمثبت من (ص) .

(٣) تقدم تخريجه . ص ٩٤ .

(٤) من (ص) .

واذا رفع إليك شكوى ولو في حزمة بقل فتأمر بإحضار بائعها وتفحص عن أمره ، وتستخبر عن قضيته ، وإذا رأيته جار في بيعه ، واتضح لك خوفه ، وتجاوز الحد وتعداه ، وجار في الأسعار ، فلا بد من تأديبه وزجره وردعه ، لينزجر غيره ، فإن السوق لا ذمة لهم ولا إنصاف عندهم . فيجب منعهم عن أخذ أموال المسلمين باطلاً^(١) .

واعلم أن هذه النصيحة قد انتدب لتعاطيها بنفسه (من هو أعظم قدراً منك عند الله)^(٢) حضرة أمير المؤمنين عمر بن الخطاب رضي الله عنه^(٣) ، (فقد كان بنفسه يدور في الأسواق يتعاطى ذلك بذاته ، وكانت درته أهيب من سيف الحجاج)^(٤) ^(٥) .

(واعلم يا ملك الزمان إن من جملة العدل الذي يجب على ولاة الأمور النظر فيما يتعلق بمتولي الشرطة الذي يمونه الصوباشي^(٦) ، وإمعان النظر في اتباع أحواله ورجاله ومقدميه ، والتفقد لأفعالهم ، وعدم الغفلة عنهم ، ولا يمكن من الوقوف ببابه إلا من يكون على الاستقامة ، وفي قلبه الخوف من الله تعالى ، فإن فيهم من يتخذ تحت يده المفسدين يحميهم ويذب عنهم ، فهم في النهار محافظين ، وفي الليل خائنين مفسدين ، وربما والسوا مع بعض المحافظين الذين يسمونهم خفراء ، فغالب ضرر الرعايا من سرقة وقتل ونحو ذلك ، إنما هو من هؤلاء واتباعهم ، فينبغي التفقد لأحوالهم والكشف عليهم كل حين ، وعلى أفعالهم وعرضهم ، وإمعان النظر في ذاتهم ، والفحص على مستقيمهم من مفسدهم ، فكل من اتضح منه الاستقامة أقره وأوصاه (بالمسلمين)^(٧) خيراً ، ومن اتضح له عدم

(١) ليست في (د) .

(٢) ليست في (د) .

(٣) تقدمت ترجمته ، ص ٧٧ .

(٤) في (د) فقد كان يدور بنفسه في الأسواق والله أعلم .

(٥) تقدمت ترجمته .

(٦) لم أعرف معنى تلك الكلمة ، ولعلها رتبة أو مسمى لوظيفة ما عند الأتراك في هذا العصر .

(٧) في (ص) على المسلمين .

الاستقامة طرده ، وإذا استحق الحبس حبسه ، وإن استوجب القتل قتله ليرتدع غيره .

ولا يقر الواحد منهم على خدمته إلا إن أقام كفيلاً يكفله فيما هو به ، لعله إن صدرت منه منقصة أو مفسدة يطلب حين ذلك من كفيله أو (كفالتة) ^(١) ، وإذا علم ذلك [الناس] ^(٢) لزم كل منهم مكانه ومشيه على الاستقامة انتهى .

وإن من جملة أفعال رجاله نوبة الصوباشي إن في بعض الأحيان يبرز ولي الأمر بإرسال بريد لأمر من المهمات فيما يتعلق بالسلطنة ، فيؤمر له تمسك دابته يسير عليها ، فيندب الصوباشي أعوانه لتمسك دابة كل بر وفاجر ، ويأتوا بها باب الصوباشي مع أن المطلوب إنما هو دابة واحدة ، فيجتمع عندهم دواب كثيرة ، ومن أرشاهم أطلقوا دابته ، وبالجملة فلا يؤخذ للبريد من هذه الدواب إلا دابة واحدة ، والباقي لا يطلقونه إلا بالرشوة ، فأى ضرر يحصل على الرعايا بسبب ذلك .

ومثل هذه الفعال كثيرة خصوصاً عند خروج العسكر [بالغزاة] ^(٣) أو الجهة من الجهات ، فمنهم من يتعدى على الرعايا يمسك دوابهم ، وإن كان راكب الدابة وجيهاً أو عليها شيء (محمول) ^(٤) فيلقونه عنها ، ويأخذونه ظلماً (وعدواناً وتعدياً باليد القوية العادية) ^(٥) ، فأى ضرر يحصل بسبب ذلك .

فيجب على ولي الأمر التيقظ لمثل ذلك ، ومنع هؤلاء المذكورين وزجرهم وردعهم حسب الإمكان وبالله سبحانه وتعالى المستعان) ^(٦) .

(١) في (ص) لغلاية . كذا .

(٢) من (ص) .

(٣) في ' الأصل ' للغارات ، والمثبت من (ص) .

(٤) في (ص) مجهول .

(٥) ليست في (ص) .

(٦) ليست في (د) .

الباب الثالث

يشمل على أخبار وآثار ونصائح ورغائب
وما وقع لبعض الملوك السابقين من الأحكام
وما ينبغي لولاة الأمور العمل به اقتداء بهم

الباب الثالث

يشمل على أخبار [وآثار] ^(١) ونصائح ورغائب

وما وقع لبعض الملوك السابقين من الأحكام

وما ينبغي لولاة الأمور العمل به [اقتداء بهم] ^(٢)

قال الله [تعالى] ^(٣) : ﴿ فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا ﴾ ^(٤) .

وقال تعالى : ﴿ (لَا تَجْعَلُوا دُعَاءَ الرَّسُولِ بَيْنَكُمْ كَدُعَاءِ بَعْضِكُمْ بَعْضًا قَدْ يَعْلَمُ اللَّهُ الَّذِينَ يَتَسَلَّلُونَ مِنْكُمْ لِوَاذًا) ^(٥) فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ ﴾ ^(٦) .

فتيقظ (أيها) ^(٧) الأمير لهذا الوعد الشديد ، (واعلم إنك) ^(٨) لا عذر لك عند الله [تعالى] ^(٩) مقبول إن لم تعمل بما جاء به الرسول [عليه الصلاة والسلام] ^(١٠) ، [فقد قال الله تعالى : ﴿ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمُ عَنْهُ فَانْتَهُوا ﴾ ^(١١)

(١) من (د) .

(٢) من (ص) .

(٣) من (د) .

(٤) سورة النساء ، آية رقم (٦٥) .

(٥) ليس في (ص) .

(٦) سورة النور ، آية رقم (٦٣) .

(٧) ليس في (ص) .

(٨) في (د) فإنه ، وفي (ص) وقال .

(٩) من (د) .

(١٠) من (د) .

(١١) سورة الحشر ، آية رقم (٧) .

3

وقال عليه الصلاة والسلام: لا يؤمن أحدكم حتى يحب لأخيه ما يحب لنفسه ^(١) ، فأول ما يجب على (ولي الأمر ويتعين عليه) ^(٢) أن يكون عالماً بكل فن ، عنده طرف من كل علم ، قال الله تعالى في كتابه المكنون : ﴿ هَلْ يَسْتَوِي الَّذِينَ يَعْلَمُونَ وَالَّذِينَ لَا يَعْلَمُونَ ﴾ ^(٣) .

(دخل شقيق البلخي ^(٤) - رحمه الله تعالى - على ملك زمانه ، فقال له الملت : عطني يا شقيق .

فقال له : عليك بالشكر والعدل ، والجود بما في يدك ، والكف عما في أيدي الناس . ثم تلا قوله تعالى : ﴿ يَا بَنِي آدَمَ لَا يَفْتِنَنَّكُمُ الشَّيْطَانُ كَمَا أَخْرَجَ أَبَوَيْكُم مِّنَ الْجَنَّةِ ﴾ ^(٥) ^(٦) ، وفي الحقيقة لا سلطنة (في الدنيا) ^(٧) إلا للسيف والقلم . فإنهما قوام العالم ونظام بني آدم ، فما وجدت من شر محاه سطوة سيف الملوك ، وما وجدت من خير [أثبتته قلم] ^(٨) الإرشاد والسلوك ، (فمن ملك هاتين الطريقتين فقد حاز الفضيلتين) ^(٩) ، ومدار الكون على (الحكام) ^(١٠) القضاء

(١) من (د) ، (ص) ، والحديث أخرجه البخاري (١٣) ، كتاب الإيمان ، باب من الإيمان أن يحب الإنسان لأخيه ما يحب لنفسه ، ومسلم (٤٥) ، كتاب الإيمان ، باب الدليل على أن من خصال الإيمان أن يحب الإنسان لأخيه ما يحب لنفسه من الخير .

(٢) ليست في (د) ، (ص) .

(٣) سورة الزمر ، آية رقم (٩) .

(٤) هو العالم الزاهد شقيق بن إبراهيم البلخي . المتوفى سنة ١٩٤ هـ ، وانظر ترجمته في : تاريخ ابن معين (٢٥٩) ، والجرح والتعديل (٣٧٣/٤) ، وطبقات الصوفية (٦١) ، وحلية الأولياء (٥٨/٨) ، والعبر (٣١٥/١) ، ووفيات الأعيان (٢٧٥/٢) .

(٥) ليست في (د) ، (ص) .

(٦) سورة الأعراف ، آية رقم (٢٧) .

(٧) ليست في (د) .

(٨) في "الأصل" أثبتته علم ، والمثبت من (د) .

(٩) ليست في (د) ، (ص) .

(١٠) ليس في (ص) .

نقضاء بشريعة [سيد] ^(١) الأنام ، فإنهم كالملح في الطعام ، إذ بصلاحهم تصلح
 الأشياء وبفسادهم تفسد [الدنيا] ^(٢) ؛ لأنهم لازالة الفساد وصلاح العباد بمنزلة
 نصابون للأوضار ^(٣) ، والاستغفار للأوزار ، فمتى حصل في أحكامهم خيانة
 [بطلت] ^(٤) الحقوق (والأمانة ، وإذا استعملوا الإهانة وجدت قلة الديانة ، وإذا
 ستمعوا العدل والإنصاف تركت الأوصاف) ^(٥) وقد أنشد بعضهم شعراً :

إذا خان الأمير وكاتباه	وقاضي الأرض [داهن] ^(٦) في القضاء
فويل ثم ويل ثم ويل	لقاضي الأرض من قاضي السماء
(إذا كان القضاء سمير عدل	جنان الخلد يسكن بالعطاء
إذا ولي القضاء بلا عدالة	ينادي عليه يوم الحشر [بالوباء] ^(٧)
فكن عادلاً في الحكم تعطى	قصوراً عاليات بلا عناء
ولا تك جائراً في الحكم تجري	فرب العرش قاهر بلا خفاء) ^(٨)

(١) في " الأصل " إسلام ، والمثبت من (د) ، (ص) .

(٢) في " الأصل " النيات ، والمثبت من (د) ، (ص) .

(٣) الأوضار : هي الدرن والدسم . ابن سيده : الوضر وسخ الدسم واللبن وغسالة السقاء والقصعة
 ونحوهما . انظر لسان العرب (٢٨٤/٥) .

(٤) في " الأصل " بطلب ، والمثبت من (د) .

(٥) ليست في (د) ، (ص) .

(٦) في " الأصل " ذاهل ، والمثبت من (د) ، (ص) .

(٧) كذا في الأصول .

(٨) ليست في (د) ، (ص) .

وَنِعَلِمَ وَلِي الْأَمْرِ أَنْ لَا أَحَدٌ يَغْنِي عَنْكَ مِنْ اللَّهِ شَيْئاً مَا لَمْ تَحْكَمْ بِالْعَدْلِ ، إِذْ لَا يَخْفَاكَ مَا جَاءَ فِي الْكِتَابِ الْمَكْنُونِ : ﴿ وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ ﴾ ^(١) ، (فَإِنْ كُنْتَ أَمِيرًا وَمَأْمُورًا فَوَاللَّهِ مَا يَنْفَعُكَ إِلَّا مَا قَدِمْتَ مِنَ الْعَدْلِ فِي رِعَايَاكَ) ^(٢) .

(وَلَتَعْلَمَ (إِنَّكَ) ^(٣) إِنْ كُنْتَ تَائِبًا تَخْلِي عَنْكَ سَيِّدُكَ الَّذِي قَلْدَكَ أُمُورَ الرِّعَايَا ، فَإِنَّهُ يَخَاصِمُكَ يَوْمَ الْقِيَامَةِ بَيْنَ يَدَيِ رَبِّ الْعَالَمِينَ فَيَقُولُ : يَا رَبِّ وَعِزَّتِكَ وَجَلَالُكَ نَمُ أَقْلَدُهُ إِمَارَةً إِلَّا أَنْ يَعْمَلَ فِيهَا بِمَا يَرْضِيكَ ، وَلَمْ آمُرْهُ بِالْجَوْرِ ، وَلَا بِمَا فِيهِ أَدْنَى ضَرَرٍ لِأَحَدٍ مِنْ خَلْقِكَ) ^(٤) ، فَيُلْزِمُكَ الْحُجَّةَ فَتَلْتَفَتَ يَمِينًا وَشِمَالًا ، فَلَا تَجِدُ لَكَ نَاصِرًا وَلَا مَعِينًا غَيْرَ عَمَلِكَ الَّذِي (قَدِمْتَ بِهِ عَلَى رَبِّكَ) ^(٥) ، فَإِنْ يَكُ خَيْرًا فَأَنْتَ مِنَ الْفَائِزِينَ [الْناجِينَ] ^(٦) ، وَإِنْ كَانَ غَيْرَ ذَلِكَ فَقَدْ خَبْتَ وَخَسِرْتَ (وَكُنْتَ مَعَ الْهَالِكِينَ) ^(٧) .

(١) سورة المائدة ، آية رقم (٤٤) .

(٢) ليست في (د) .

(٣) ليست في (ص) .

(٤) في (د) نفس المعنى ولكن بألفاظ أخرى .

(٥) في (د) قدمته .

(٦) من (د) . (ص) .

(٧) في (د) وهنت مع الهالكين .

دخل بعض (الصالحين) ^(١) على المهدي أمير المؤمنين ^(٢) فقال : يا أمير المؤمنين إن الله [تعالى] ^(٣) أعطاك من الملك (خيراً) ^(٤) كثيراً (وأجراً كبيراً) ^(٥) ، فأعط رعاياك منه جزاءً يسيراً .

قال : فما الذي ينبغي أن نعطي الرعايا ؟

قال : العدل يا أمير المؤمنين ، فإن رعاياك إذا نامت في عدلك نمت آمنة في قبرك . فاعدل ما استطعت فإنك مجزي بالعدل عدلاً وبالجور [عقاباً] ^(٦) ، وكما تدين تدان . لكن أنا أنبهك على أمور إن أنت عملت بها مخلصاً فيها لله رب العالمين . كانت سببا لنجاتك وفوزك مع الفائزين ، وهي : أن تنظر في أحكام من تقدمك من الخلفاء الراشدين فإن استطعت المشي على سننهم [وإلا فانظر في أحكام من بعدهم من الخلفاء العادلين] ^(٧) كعمر بن عبد العزيز أمير المؤمنين ^(٨) ، (فتتبع العمل في أحكامه حسب الطاقة والاستطاعة) ^(٩) ، فإن لم يكن فالأقل أن تعمل

(١) في (د) ، (ص) الصلحاء .

(٢) هو محمد بن المنصور بن محمد بن علي الهاشمي ، أبو عبد الله الملقب بالمهدي ، وكان كريماً غاية حتى قيل : ما ولي من الخلفاء أكرم منه ، وكان قصاباً للزنادقة ، توفي سنة ١٦٩ هـ . وانظر ترجمته في : المعارف (٣٧٩) ، وتاريخ الطبري (١٧٢/٣) ، ومروج الذهب (٢٤٦/٢) ، وتاريخ بغداد (٣٩١/٥) ، وتاريخ الخلفاء (٢٧١) .

(٣) من (د) ، (ص) .

(٤) في (د) جزاءً .

(٥) ليست في (د) ، (ص) .

(٦) في "الأصل" جوراً ، والمثبت من (د) .

(٧) من (د) ، (ص) .

(٨) هو الإمام الزاهد العالم الخليفة العادل . عمر بن عبد العزيز بن مروان بن الحكم أشج بني أمية ، وهو أشهر من أن يترجم له أو يدلل عليه ، توفي سنة ١٠١ هـ . وانظر ترجمته في : كتاب سيرة عمر بن عبد العزيز لابن عبد الحكم ، ومناقب عمر بن عبد العزيز لابن الجوزي ، وغيرها .

(٩) ليست في (د) .

بعمل كسرى أنو شروان أحد الملوك العادلين ، (فقد انتشر ذكره بالعدل مع إنه كان من القوم الكافرين ، فلا يزال حكمه منسوباً بالعدل إلى آخر دهر الداهرين) ^(١) ، وكان معظم اهتمامه النظر في أحوال العباد ، وعمران القرى والبلاد ، وأحكام الثغور ، واتقان الجسور ، والذب عن الرعية ، والعمل بالعدل في كل قضية ، وليكن شعارك الخوف من رب العالمين .

(واعلم أنه) ^(٢) مراقبك ومطلع عليك وعلى أقوالك وأفعالك وأحكامك ، فاعمل عملاً يسرك يوم المعاد ، [واعلم] ^(٣) أن ربك لبالمرصاد ، (قال ﷺ : " أصعب الناس حساباً يوم القيامة حساب الملوك " ^(٤)) .

كل راع يسئل عن رعيته ، حتى لو أن واحداً من جنده دخل دار واحد من الرعايا فأخذ منها إبرة فلم يردّها ، فإن السلطان يساءل عنها يوم القيامة ، ويبقى في ذلها سنة معاقبا عليها .

فاستعدوا للجواب يا سلاطين الدنيا ، فإنه لم يكن في الدنيا أعدل من عمر بن الخطاب رضي الله عنه ^(٥) ، ما لبس حريراً قط ، ولا نام عليه ، ولا ارتكب ظلماً ، ولا مال إليه ، وعند موته أوصى ولده قال : إذا أنا مت فاعمد بي إلى قبر رسول الله ﷺ وقل : يا رسول الله هذا قد جاءك وهو خائف من هذه الطريق فأدركه وإلا هلك ^(٦) .

(١) ليست في (د) .

(٢) في (د) فإنه .

(٣) من (د) .

(٤) تقدم تخريجه ، ص .

(٥) تقدمت ترجمته ، ص ٧٧ .

(٦) لم أجده والحديث فيه نكارة ظاهرة ، ففيه أن عمر توسل بالرسول ﷺ بعد موته ، وهذا لا يجوز وهو الذي توسل بدعاء العباس عم الرسول ﷺ لما قحط المطر ، وقطع الشجرة التي بايع الناس تحتها حسماً لباب الشرك والتبرك بالمخلوقات من إنسان أو مدر أو حجر .

وقد انفصل أهل السنة والجماعة إلى أنه يجوز التوسل بثلاثة أشياء لا غيرها : =

قالت عائشة رضي الله عنها ^(١) : رأيت رسول الله ﷺ في المنام يهرول
فقلت : ما حالك يا رسول الله ؟

قال : أريد أن أدرك عمر قبل الحساب ^(٢) .

فانظر يا أخي هذا عمر بن الخطاب إذا كان حاله هكذا ، فاطلب أنت من
الله الرحمة عند الحساب .

فإن كنت عادلاً فتقول : يا رب إني قد عدلت في خلقك ، وأشفقت على
عبادك فيقال : صدقت فضرب لك سراق من الذهب والعقيان ^(٣) ، وحباله من

= ١ - التوسل بأسماء الله تعالى وصفاته الحسنی قال الله عز وجل : ﴿ والله الأسماء الحسنی
فادعوه بها ﴾ .

٢ - التوسل بالإيمان والأعمال الصالحة ، قال تعالى : ﴿ رَبَّنَا إِنَّا سَمِعْنَا مُنَادِيًا يُنَادِي لِلْإِيمَانِ
أَنْ آمِنُوا بِرَبِّكُمْ فَآمَنَّا رَبَّنَا فَاغْفِرْ لَنَا ذُنُوبَنَا وَكَفِّرْ عَنَّا سَيِّئَاتِنَا وَتَوَفَّنَا مَعَ الْأَبْرَارِ ﴾ ، وحديث
الثلاثة الذين انغلق عليهم الغار في البخاري ومسلم مشهور في جواز التوسل بالأعمال
الصالحة .

٣ - الدعاء بدعاء الصالحين ، فعن أبي هريرة قال : سمعت رسول الله ﷺ يقول : " يدخل
الجنة من أمتي زمرة هي سبعون ألفا تضيء وجوههم إضاءة القمر . فقام عكاشة بن
محسن ... قال : ادع الله لي يا رسول الله أن يجعلني منهم ، فقال : اللهم اجعله
منهم .. " ، وحديث عمر في التوسل بدعاء العباس مشهور .

راجع كتاب التوسل والوسيلة للإمام ابن تيمية رحمه الله تعالى ، والتوسل للشيخ الألباني
رحمه الله تعالى .

(١) هي السيدة المباركة المطهرة المنزل طهرها من فوق سبع سموات أم المؤمنين عائشة بنت أبي
بكر الصديقة بنت الصديق ، زوج النبي ﷺ وأحب زوجاته إليه ، وهي من توفي رسول الله ﷺ
في بيتها ورأسه على صدرها رضي الله تعالى عنها ، توفيت سنة ٥٨ هـ ، وانظر ترجمتها
في : طبقات ابن سعد (٥٨/٨) ، وسير أعلام النبلاء (١٣٥/٢) ، وطبقات خليفة (٢٢٥) ،
وأسد الغابة (٨٨/٧) ، وتاريخ الإسلام (٢٩٤/٢) ، والإصابة في معرفة الصحابة (٣٨/٣) .

(٢) لم أجده .

(٣) العقيان : من العقيق وهو من الأحجار الكريمة ، وقيل : هو الذهب ، وانظر لسان العرب
(٢٨٨/١٣) .

تؤلؤ والمرجان ، رأس السرادق تحت العرش ، وأذياله عند شجرة طوبى في ظل عرش الرحمن ؛ لأنه كان ظل الله في أرضه (١) .

روي أن أبا بكر الصديق رضي الله عنه لما آلت إليه الخلافة صعد المنبر (فقال) (٢) :
" [يا] (٣) أيها الناس إنما أنا متبع ولست بمبتدع فإن أحسنت فيكم الحكم فأعينوني ، وإن زغت فقوموني " (٤) .

فكان رضي الله عنه إذا وردت عليه الحكومة نظر في كتاب الله ، فإن نظر ووجد ما يقضي به فقضى به ، وإلا نظر في سنة رسول الله صلى الله عليه وسلم ، وتأمل في أحكامه فإن وجد فيها ما يقضي به قضى ، وإلا خرج يسأل الصحابة فيدلوه فيقول : الحمد لله الذي جعل فينا من يحفظ علينا ديننا .

[و] (٥) قال ابن عباس رضي الله عنه (٦) : لما مرض أبو بكر رضي الله عنه (٧) قال : انظروا ما زاد في مالي منذ دخلت الإمارة فابعثوا به إلى الخليفة من بعدي .

(١) ليست في (د) ، (ص) .

(٢) في (د) ثم قال .

(٣) من (د) .

(٤) أخرجه ابن سعد في طبقاته (١٨٢/٣) .

(٥) من (د) .

(٦) تقدمت ترجمته ، ص ١٤ .

(٧) هو الصحابي الجليل الصديق خليفة رسول الله صلى الله عليه وسلم أبو بكر عبد الله بن أبي قحافة عثمان بن عامر بن عمرو ، توفي في السنة الثانية من الهجرة ، وانظر ترجمته في : السير جزء الصحابة (٧) .

[قال: فنظروا] ^(١) فإذا [هو] ^(٢) عبد [نوبي] ^(٣) يحمل صبياناه ، قالت عائشة رضي الله عنها ^(٤) : فبعثناه إلى عمر فقال عمر : رحمة الله على أبي بكر لقد أتعب من بعده تعباً شديداً (ﷺ) ^(٥) ^(٦) .

وأما عمر ﷺ فقد هابه الناس هيبة عظيمة ، حين تولى [الخلافة] ^(٧) ، حتى إنهم تركوا الجلوس بالأفنية وقالوا : كان شديد البأس علينا ورسول الله ﷺ بين أظهرنا ، فكيف وقد صار الأمر إليه ؟ فبلغه ذلك ، فصعد المنبر فحمد الله تعالى وأثنى عليه [وصلّى على النبي ﷺ] ^(٨) ثم قال : يا أيها الناس اعلموا إن تلك الشدة إنما هي على أهل الظلم والمبتدعين ، وأما أهل السلامة والدين فأنا ألين لهم من بعضهم بعضاً .

واعلموا أنني لا أدع أحداً يتعدى على أحد يظلمه حتى أضع خده بالأرض ، وأضع قدمي على خده الآخر حتى يذعن للحق ، ولكم عليّ أن لا ألقىكم في المهالك ، وإذا غبتم في البعوث فأنا أب للعيال حتى ترجعوا .

(١) من (د) .

(٢) من (د) ، والعبد النوبي نسبة إلى بلاد النوبة ، وأهلها سود البشرة واللون ، ويقعون في أعلى صعيد مصر . انظر معجم البلدان (٢٤٦/٤) .

(٣) في (الأصل) و(د) تولى ، والمثبت من (ص) .

(٤) تقدمت ترجمتها .

(٥) ليست في (د) .

(٦) أخرجه البيهقي في السنن الكبرى (١٢٧٨٧) ، كتاب جماع أبواب تفريق الخمس ، باب ما يكون تنوّالي الأعظم ووالي الإقليم من مال الله وما جاء في رزق القضاة وأجر سائر الولاة ، وإسناده رجاله ثقات .

(٧) في "الأصل" ، (ص) أمير المؤمنين ، والمثبت من (د) .

(٨) من (د) .

قال أبو سلمة ^(١) : فوفى والله عمر بما قال ، وزاد في الشدة في موضعها
والثين في موضعه ، ولقد كان (يمشي إلى) ^(٢) اللاتي غاب عنهن أزواجهن
فيسألن : أكن حاجة (فأشتر لكن) ^(٣) .

فيرسلن معه جوار لهن فيدخل السوق (وإن معه من جوازيهن) ^(٤) ووراءه
من جوازي الناس وخدمهن ما لا يحصى (عدداً) ^(٥) ، فيشتري لهن ما يحتجن
إليه . ومن ليس لها خادم حمل حاجتها على عاتقه .

قال أوفى ^(٦) : (كان عمر رضي الله عنه يقول لعماله : لا تغلقوا أبوابكم دون أرباب
الحوائج) ^(٧) .

وكان يقول : يجب علي أن أسافر إلى أقطار الأرض لأشاهد أفعال
العمال ، حتى أعرف سيرتهم في الرعايا) ^(٨) .

وكان يبكي ليلاً ونهاراً فقل له : لم (تبكي) ^(٩) ، وما هذا البكاء [يا أمير
المؤمنين] ^(١٠) ؟

(١) أبو سلمة هو : ابن عبد الرحمن بن عوف ، الإمام ، أحد الفقهاء السبعة المشهورين ، انظر
ترجمته في : سير أعلام النبلاء (٢٨٧/).

(٢) في (د) يدور على .

(٣) ليست في (د) .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) لم أعثر على ترجمته ولم أعرفه .

(٧) تقدم تخريجه .

(٨) ليست في (د) .

(٩) ليست في (د) .

(١٠) من (د) .

قال : وليت أمراً إذا أعدل أحاسب ، وإن أظلم أعاقب ، وإن نمت نهاراً أضعت الرعية ، وإن نمت ليلاً [أضعت] ^(١) نفسي .

قال : وكان [يعس] ^(٢) ليلاً فصحبته ذات ليلة ، فبينما نحن سائرين إذ رأينا ناراً على بعد تضيء مرة وتنطفئ أخرى فقصدناها ، فلما دنونا منها وإذا امرأة وبين يديها قدر ، وعندها أطفال يبكون وهي تقول : اللهم احكم بيني وبين عمر .
فلما سمع عمر ذلك دهش عقله وقال : يا أمة الله أراك تذكرني عمر .

(قالت : يحكم الله بيني وبين عمر .

قال : وماذا صنع معك عمر ؟) ^(٣) .

قالت : بعث والد هؤلاء إلى الغزو ، فقتل وبقي هؤلاء جياً كما تراهم .

قال : ويحك ومن أين يعرفكم عمر ؟

قالت : وما ظننت أن رجلاً يتولى أمور المسلمين ويخفي عليه أمرهم ، أو ما علمت أن عمر مسئول عنهم يوم القيامة ، يوم يسأل كل راعٍ عن رعيته فارتعدت فرائصه .

وقال : كل الناس أفقه منك يا عمر ، ثم قال لها : ما في هذا القدر ؟

قالت : ماء أعللهم به حتى يناموا .

فقام عمر من عندها [ذاهل العقل] ^(٤) على الفور حتى دخل دار الإمارة فأخرج منه عدلاً من دقيق وجراب شحم وتمر وقال : شل علي يا أوفى .

(١) في "الأصل" ضيعت ، والمثبت من (د) ، (ص) وهو الموافق للسياق .

(٢) في "الأصل" يعيش ، والمثبت من (د) ، والعس هو : المشي في الطرقات ليلاً ، وانظر لسان العرب (١٣٩/٦) ، وكان يفتقد أحوال رعيته بذلك .

(٣) ليست في (د) .

(٤) من (ص) .

فقلت : أحمل عنك يا أمير المؤمنين .

قال : شل على كتفي يا أوفى لا أم لك . إذا أنت حملت عني اليوم فمَنْ
يحمل عني غداً ؟

فرفعت معه العدل حتى وضعتَه على عاتقه فقال : اطرح الجراب فوقه
فطرحته ، فصار يمشي تارة ويقعد أخرى ، حتى طرح العدل والجراب بين
أيديهم ، فأخرج منه دقيقاً ولته برسم ، ووضعَه في القدر ، وصار ينفخ والدخان
يخرج من خلال لحيته حتى نضج فأيقظ الأطفال ، وغرف لهم وأطعمهم ، ثم قام
من عندهم فخرج ومشى قليلاً ، وصار يحثوا على ركبتيه ويبكي ، فقال له أوفى :
أصلحك الله يا أمير المؤمنين لقد وفيت .

فقال : يا أوفى لقد (انصدع) ^(١) والله قلبي لما رأيت من حالهم .

وكان يطوف السوق وعليه جبة من صوف فيها اثني عشر رقعة ، والدرّة
على كتفه ، ولما حملت إليه خزائن كسرى رأى مالاً عظيماً فقال له (خازن بيت
المال) ^(٢) : أفلا تدخل هذا بيت المال ؟

فقال : لا ، بل اعمل فيه بما أمر الله تعالى به ورسوله لقوله
تعالى : ﴿ وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ ﴾ ^(٣) الآية .
وكان شديد البأس على (ولاته) ^(٤) يصدر لهم الوصايا كل يوم : اتقوا الله ،
واتقوا دعوة المظلوم ، وأن لا تغلقوا أبوابكم دون الناس (وحاجاتهم) ^(٥) ^(٦) .

(١) في (ص) صدع .

(٢) في (د) خازنه ، وفي (ص) خازن ذلك المال .

(٣) سورة الأنفال ، آية رقم (٤١) .

(٤) في (د) أمراؤه .

(٥) ليست في (د) .

(٦) تقدم تحريجه .

وكان من جملة عماله على الكوفة سعد بن أبي وقاص^(١) (استأذنه)^(٢) يبني داراً يسكنها ، فكتب إليه [ابن]^(٣) بقدر يقيق من الحر ويسترك من المطر ، ولا تزد على ذلك .

ولما أهم قيصر عظيم الروم أمر أمير المؤمنين عمر بن الخطاب رضي الله عنه أرسل رسولاً ينظر أحواله ويشاهد أفعاله ، فلما دخل المدينة سأل بعض أهلها: أين ملككم ؟

قالوا : ليس لنا ملك إنما لنا أمير .

قال : أين هو ؟

قالوا : خرج إلى ظاهر المدينة ، فخرج في طلبه فدل عليه ، فرأى رجلاً نائماً فوق الرمل في حر الشمس ، وقد وضع درته تحت رأسه كالوسادة ، فلما رآه على تلك الحالة وقع الخوف في قلبه ، وقال (في نفسه)^(٤): رجل تهابه ملوك الأرض لا يقر لهم قرار من هيبتة تكون هذه حالته ، لكنك يا عمر عدلت فأمنت فمنت ، وملكنا جار فلم يزل ساهراً خائفاً ، أشهد أن دينكم خير الأديان .

وكان [يعس]^(٥) ليلاً فمر ذات ليلة فإذا امرأة تقول لابنتها :

قومي (فامرقي)^(٦) اللبن بالماء .

(١) هو سعد بن أبي وقاص الزهري ، وأحد من فداه النبي ﷺ بقوله : ارم فداك أبي وأمي ، وأحد العشرة المبشرين بالجنة ، توفي سنة ٥٥ هـ ، وهو آخرهم موتاً رضي الله عنهم جميعاً . وانظر ترجمته في سير أعلام النبلاء (٩٢/١) .

(٢) في (د) أرسل إليه يستأذنه .

(٣) من (د) .

(٤) ليست في (د) .

(٥) في "الأصل" يعيش ، والمثبت من (د) .

(٦) في (د) فامرجي ، وفي (ص) فامرقي .

فَقَالَتْ : وَيْحَكَ ، يَا أُمَاهُ أَمَا تَسْمَعِي مَنَادِي عَمْرِ الْآنَ : لَا (يَمْرُقْنَ) ^(١) أَحَدًا
الْبَيْنَ بِالْمَاءِ .

قَالَتْ : وَيْحَكَ ، وَأَيْنَ أَنْتِ وَأَيْنَ عَمْرٌ فِي هَذَا الْوَقْتِ .

فَقَالَتْ : لَا إِلَهَ إِلَّا اللَّهُ ، أَطِيعُهُ نَهَارًا وَأَعْصِيهِ لَيْلًا ، وَاللَّهُ لَا (فَعَلَتْ) ^(٢) .

فَلَمَّا سَمِعَ عَمْرٌ ذَلِكَ (أَعْجَبَ) ^(٣) (مِنْ كَلَامِهَا ثُمَّ عَلِمَ الْبَابَ بِإِشَارَةٍ) ^(٤) ، فَلَمَّا
أَصْبَحَ طَلَبَ الْبِنْتَ فَعَقَدَ لَهَا عَلَى وَلَدِهِ ، فَكَانَ مِنْ نَسْلِهَا عَمْرُ بْنُ عَبْدِ الْعَزِيزِ ^(٥)
الْوَلِيُّ الصَّالِحُ الَّذِي يَضْرِبُ بَعْدْلَهُ الْأَمْثَالُ ^(٦) .

وَأَمَّا عَلِيُّ بْنُ أَبِي طَالِبٍ ^(٧) لَمَّا تَوَلَّى الْخِلَافَةَ أَتَتْهُ امْرَأَةٌ شَاكِيَةٌ ، فَوَجَدَتْهُ
قَائِمًا يَصْلِي فَلَمَّا أَحْسَرَ بِهَا ، سَلَّمَ مِنْ صَلَاتِهِ وَالتَفَتَ إِلَيْهَا بِرَأْفَةٍ وَرَفَقَ فَقَالَ : أَلَيْكَ
حَاجَةٌ ؟

فَقَالَتْ : يَا أَمِيرَ الْمُؤْمِنِينَ إِنَّ الَّذِي وَلِيَّتَهُ الصَّدَقَاتُ قَدْ جَارَ عَلَيْنَا وَلَمْ يَعْمَلْ
بِمَا أَمَرْتُ .

(١) فِي (د) يَمْرُجْنَ .

(٢) فِي (د) أَفْعَلْنَ هَذَا .

(٣) فِي (د) عَجِبَ .

(٤) نَيْسَتْ فِي (د) .

(٥) تَقَدَّمَ تَرْجُمَتُهُ ، ص ١١٥ .

(٦) هَذِهِ الْأَثَارُ وَغَيْرُهَا كَثِيرٌ فِي فَضَائِلِ عَمْرِ عليه السلام أَوْرَدَهَا أَبُو نَعِيمٍ فِي كِتَابِهِ حَلِيَّةِ الْأَوْلِيَاءِ (٣٨/١) .

(٧) تَقَدَّمَ تَرْجُمَتُهُ .

فبكى ﷺ ثم رفع رأسه إلى السماء وقال : اللهم أنت الشاهد أني لم
(أمره) ^(١) بظلم خلقك ، ولا بترك حقك ، ثم أخذ قطعة من رق فكتب [فيها] ^(٢) :
بسم الله الرحمن الرحيم ﴿ قَدْ جَاءَكُمْ بَيِّنَةٌ مِنْ رَبِّكُمْ فَأَوْفُوا الْكَيْلَ وَالْمِيزَانَ وَلَا
تَبْخَسُوا النَّاسَ أَشْيَاءَهُمْ ﴾ ^(٣) إذا قرأت كتابي هذا فاحفظ ما في يدك من عمل
حتى (يرد عليك) ^(٤) من يقبضه منك والسلام .

فعرله لوقتہ (وولى عليهم أميراً غيره عادلاً أميناً) ^(٥) .

وأما معاوية ^(٦) أمير المؤمنين ﷺ بينما هو ذات يوم ينظر من منظره عالية
وهو جالس ينظر إلى الصحراء ، وكان يوم [صائفاً] ^(٧) شديد الحر وقد نفخ
الهجيرة ، فإذا رجل مقبل من البادية وسط النهار ، وكان في شدة الحر فقال
معاوية لجلسائه : انظروا هل رأيتم رجلاً أشقى من هذا الرجل الذي خرج في مثل
هذا الوقت ؟ ، [فقالوا] ^(٨) : لعله ملهوف قاصداً أمير المؤمنين ، فقال معاوية : لئن
ورد علي هذا سائلاً لأعطينه ، أو مستجيراً لأجيرنه ، أو مظلوماً لأنصرنه ، ثم
التفت إلى غلام كان واقفاً بين يديه قال : قف بالباب حتى يرد هذا الأعرابي فإن
طلب الدخول عليّ فأدخله . فوقف الأعرابي بالباب فقال له الغلام : ألك حاجة ؟

(١) في (د) أمرهم .

(٢) من (د) ، (ص) .

(٣) سورة الأعراف ، آية رقم (٨٥) .

(٤) في (د) يأتيك .

(٥) ليست في (د) ، (ص) .

(٦) تقدمت ترجمته .

(٧) من (د) .

(٨) في " الأصل " فلما قال بعضهم لبعض ، والمثبت من (د) .

فقال : اطلب أمير المؤمنين . فأدخله ، فلما دخل أنشد وجعل يقول هذه
الآبيات شعراً :

ويا ذا النداء والجود (والرشد) ^(٢) والفضل	معاوي يا ذا العلم (والفضل) ^(١) والنبيل
فيا غوث لا تقطع رجائي من العدل	أتيت لما ضاق في الأرض مذهبي
بلاني بشيء كأن أيسره قتلي	وجد لي بإنصاف من الجائر الذي
وجار ولم يعدل (وغاصبني) ^(٣) أهلي	سباني سعدى وانتى لخصومتي
(ما أتت) ^(٤) ولم استكمل الرزق من أجلي	وهم بقتلي غير أن منيتي

فلما سمع معاوية إنشاده والنار تتوقد من (فؤاده) ^(٥) قال : مهلاً يا أعرابي
اذكر لي قصتك وأفصح عن قولك ؟

قال : يا أمير المؤمنين كان لي زوجة تدعى سعدى ، وكنت بها محباً وبها
كلفاً ، وأنا بها قرير العين طيب العيش ، وكان لي (صرمة) ^(٦) من الإبل استعين
بها على قيام أودي وكفاف حالي ، فأصابتنا سنة شديدة (الحطم) ^(٧) أذهبت الخف
والظلف ، وصرت لا أملك شيئاً ، فلما قل مالي وساء حالي علم أبوها ما أنا فيه
من القلة ، أخذها أبوها من عندي ، وجحدني وطردني [وأغلظ علي] ^(٨) ، فأتيت

(١) في (د) والعلم ، وفي (ص) والحلم .

(٢) في (د) و (ص) والعدل .

(٣) في (د) وعادلني .

(٤) في (ص) تَبَقَّت .

(٥) في (ص) فيه .

(٦) في جربة ، والصرمة يقال للقطعة من الإبل إذا كانت خفيفة . انظر لسان العرب (٣٣٨/١٢) .

(٧) في (ص) الحطب .

(٨) من (د) . (ص) .

إلى عامتك مروان بن الحكم ^(١) مستصرخاً به راجياً لنصرته ، فأحضر أبوها
وسأله عن حاله فقال : لا أعرفه قبل اليوم .

فقال : أصلح الله الأمير إن اقتضى رأيي أن يرسل إليها فيحضرها ويسألها
عن قول أبيها فليفعل .

فأرسل إليها مروان فأحضرت ، فلما (حضرت) ^(٢) بين يديه وقعت منه
موضع الإعجاب ، فصار لي خصماً وعلى منكر ، وأظهر لي الغضب ، وبعث
بي إلى السجن ، فصرت كأنما خررت من السماء إلى مكان سحيق ، ثم دفع لأبيها
مبلغاً ، وسأله أن يزوجه لها وعليه خلاصها من هذا الأعرابي ، فرغب أبوها في
البدل وأجابه لذلك ، فلما أصبح طلبني من السجن ، فلما وقفت بين يديه نظر إلي
كالأسد الغضبان وقال لي : طلق سعدي ، فقلت : لا أطلق زوجتي .

فأسلمني لجماعة من غلمانه فنوعوا إلي أنواع العذاب ، فلم أجد بداً من
طلاقها فطنقتها فأعادني إلى السجن إلى أن انقضت عدتها ، ودخل بها ، وقد أتيتك
مستجيراً بك وإليك ملتجئاً ، ثم ألقى نفسه بالأرض وأخذ يلتوي كالحية المقتولة .

فلما رآه معاوية على هذا الحال قال : لقد تعدى وظلم ابن الحكم ، وجار
في حدود الدين (وتعدى) ^(٣) على حرم المسلمين ، ثم دعا بدواة وقرطاس فكتب
إلى مروان أما بعد :

فإني قد بلغني إنك قد تعديت على رعيتك ، وانتهكت حرم من حرم
المسلمين ، وتعديت على حدود الدين ، وينبغي ويتعين على كل وال أن يغض

(١) هو مروان بن الحكم بن أبي العاص القرشي ، توفي سنة ٦٥ هـ ، وانظر ترجمته في : السير
(٤٦٧/٣) ، وطبقات ابن سعد (٣٥/٥) ، وطبقات خليفة (١٩٤٨) ، والمعارف لابن قتيبة
(٣٥٣) وغيرها .

(٢) في (ـ) ، (ص) وقفت .

(٣) في (ص) واجترأ .

(ضرفه) ^(١) عن شهواته ، ويزجر نفسه عن لذاته ، ثم كتب إليه يقول هذه الأبيات ،
قال الشاعر رحمه الله تعالى :

وليت ويحك أمراً لست تدركه	فاستغفر الله من فعل امرئ راني
فقد أتانا الفتى المسكين منتحباً	يشكوا إلينا بيت ثم أحزاني
أعطي لربي يميناً لا أكفرها	أيضاً وأبرأ من ديني ودنياي
إن أنت خالفتني فيما أمرت به	لأجعلنك لحماً بين عقباي
طلق سعاد وجهها معجلة	مع الكميت ومع نصر بن دينار

ثم طوى الكتاب وطبعه بخاتمة وناوله الكميت ومع نصر بن دينار وقال
لهما : اذهبا إلى هذا الخبيث فإن هو أجاب وأنا ب وإلا فاضربا عنقه ، فخرجا من
عند أمير المؤمنين معاوية إلى أن دخلا على [مروان بن الحكم فلما أبعدهما تغير
لونه فناولاه الكتاب وكل منهما مقلد بسيفه ، فلما قرأ الكتاب لم يسعه إلا أن أحضر
الجارية على الفور وأبانها من عصمته وأسلمها إليهما ، ثم دعا بدواه وقرطاس
وكتب إلى أمير المؤمنين يقول شعراً :

لا تعجلن أمير المؤمنين فقد	أوفي بنذك في رفق وإحسان
وما أتيت حراماً حين أعجبتني	فكيف ادعى باسم الخائن الزان
اعذر فإنك لو أبعدتها لجرت	منك الأمانى على تمثال إنسان
وسوف تأتيك شمس ليس يعدلها	عند الخليفة من إنس ومن جان

ثم طوى الكتاب وناوله إليهما مع الجارية ، فسار إلى أن دخلا على ^(٢)
معاوية بالجارية ، فناوله الكتاب فلما قرأه قال : لقد [أحسن] ^(٣) في الطاعة وأطنب

(١) في (ص) بعده .

(٢) من (د) ، (ص) .

(٣) في (ص) أحسنت ، والمثبت من (ص) .

في ذكر الجارية ، ثم أمر بإحضارها ، فرأى صورة لم ير مثلها جمالاً وكمالاً
فخاطبها فوجدها من أفصح النساء ، فقال : على بالأعرابي ، فأحضر وهو في
غاية من سوء الحال قال : يا أعرابي هذه سعدى ؟ .

قال : بلى يا أمير المؤمنين جبر الله بك صدع الدين ، وألم بك شعث
المسمنين .

فقال له أمير المؤمنين : هل لك عن سعدى من رغبة يا أعرابي وأعوضك
عنها ثلاث جوار بنات أ بكر مع كل واحدة منهن ألف درهم ، وأقسم لك من بيت
المال ما يكفيك ويغنيك ويعينك على صحبتهن .

[قال] ^(١) فلما سمع كلام معاوية صرخ صرخة عظيمة ظن الحاضرون أنه
قد خرج روحه ، قال معاوية : ما حالك يا أعرابي ؟

فقال : بشر بال وأساء حال ، قد استجرت بعدلك من جور ابن الحكم فإلى
من أستجير من جورك ؟ .

فقال [معاوية] ^(٢) : يا أعرابي أنت مقر بأنك طلقته ، وأما مروان فقد
أبانها ، ونحن الآن نخيرها فإن اختارت سواك زوجناها [به] ^(٣) ، ثم قال لها أمير
المؤمنين : يا سعدى أيما أحب إليك أمير المؤمنين بعزه وشرفه وسلطانه ، أو
مروان في عشقه وجوره ، أو هذا الأعرابي في فقره وسوء حاله ؟ ، فسكتت
طويلاً .

فقال لها أمير المؤمنين : ما تقولين يا سعدى أيما أحب إليك ؟ ، وأعاد إليها
ما قاله أولاً وثانياً وثالثاً ، فأنشدت تقول هذه الأبيات شعراً :

(١) من (د) .

(٢) من (د) .

(٣) من (د) .

هذا وإن كان في فقر وإضراري أعز عندي من أهلي ومن جاري
وصاحب التاج أو مروان عامله وكل ذي درهم عندي ودينار
[وهو عندي أعز الناس أجمعهم أيضاً فبقى بطول الدهر والأعصار] ^(١)

ثم قالت : والله يا أمير المؤمنين ما أنا [بخاذلته] ^(٢) (لنكابه) ^(٣) الزمان ،
ولا لغدرات الأيام [وإني] ^(٤) [لي معي صحبة لا تنسى ، ومحبة لا تبلى ، وأنا أحق
من صبر] ^(٥) ، وإني معي في الضراء كما تتعمت معي في السراء .

فلما سمع معاوية كلامها اهتز طرباً لما رأى من عقلها وعظم مروءتها ،
فأمر لها وله بعشرة آلاف درهم ، وأعادها للأعرابي بعقد جديد .
ولقد كان معاوية أمير المؤمنين عنده من الحلم جزءاً وافراً ^(٦) .

روي أنه كان له أرض يزرعها وفيها (عبيده) ^(٧) يزرعونها له في كل
عام . وبجوارها أرض لعبد الله بن الزبير ^(٨) بها عبيده وفتيته يزرعونها له ،

(١) ليست في (د) ، (ص) ، والبيت فيه كسر ظاهر .

(٢) في " الأصل " بمخاذلة ، والمثبت من (د) .

(٣) في (د) بنكبات ، وفي (ص) لنكبات .

(٤) في " الأصل " وإني ، والمثبت من (ص) .

(٥) من (ص) .

(٦) أورد هذا الإتيدي في أخبار البرامكة (٤٤) ، وما أظن هذا يصح عن معاوية رضي الله عنه ، وهو
صحابي جليل ، ولم أر هذه القصة في شيء من كتب أهل العلم إلا ما أشرت إليه ، ولعل
المؤلف أخذها من كتب الآداب ففيها من هذه الأكاذيب الشيء الكثير ولا تفرق بين الغث
والسمين .

(٧) في (د) عبيد له .

(٨) هو الصحابي الجليل ابن حواري رسول الله ﷺ ، عبد الله بن الزبير بن العوام القرشي
الهاشمي ، قتله الظالم المبير الحجاج بن يوسف سنة ٧٣ هـ ، وصلبه في خلافة =

فجار عبيد معاوية على قطعة أرض من أرض عبد الله بن الزبير ، فكلموهم في ذلك فبطش عبيد معاوية في عبيد عبد الله بن الزبير ، فبلغ سيدهم فساءه ذلك فكتب إلى معاوية :

أما بعد يا معاوية إن لك عبيداً فعلوا بعبيدي واغتصبوا جانباً من أرضي [ولقد أقسمت إن لم ترد عبيدك عن ما فعلوا بعبيدي وأرضي] ^(١) ، وإلا كان بيني وبينكم شأن ، فلما وصل الكتاب إلى معاوية أمير المؤمنين وقرأه ، ناوله لولده يزيد ^(٢) فقرأه ، فلما قرأه يزيد تغير لونه فقال له والده : ما ترى ؟

فقال : أرى أن ترسل جيشاً أولهم عنده وآخرهم عندك يأتون برأسه .

فسكت معاوية ثم قال لولده : إني أرى غير ذلك ، ثم دعى بدواة وقرطاس فكتب إلى عبد الله بن الزبير : سلاماً أما بعد ، فقد وصل إلي كتابك يا ابن حواري رسول الله ﷺ فقرأته وفهمت معناه ، ووالله لقد ساءني ما ساءك والدنيا وما فيها هنية في جنب رضاك .

ولقد كتبت على نفسي كتاباً أشهدت الله فيه على نفسي وأشهدت من حضرني من جميع المسلمين أن الأرض التي ملكتها لك ، والعبيد التي بها ملكتهم لك ، فضم الأرض إلى أرضك ، والعبيد إلى عبيدك . والسلام عليك ورحمة الله وبركاته .

= عبد الملك بن مروان بن الحكم ، وانظر ترجمته في : طبقات خليفة (٦٩) ، وأسد الغابة

(٢٥٢٣) ، وتاريخ الخلفاء (٢١١) وغيرها .

(١) من (د) ، (ص) .

(٢) تقدمت ترجمته .

فلما وصل الكتاب إلى عبد الله بن الزبير وقرأه وفهم معناه تهلل وجهه فرحاً وكتب إليه : لا أعدمني الله بقاء حس أمير المؤمنين ، ولا أعدمه هذا الرأي الذي أحبه هذا المحل [العظيم] ^(١).

فانظر (يا ملك الزمان) ^(٢) حكم الملوك السابقين كيف أحيا الله به ذكرهم حتى صاروا يمتدحوا به إلى آخر (دهر الداهرين) ^(٣) ، فعليك (يا ملك الزمان) ^(٤) بالمشي على سنتهم واقتفاء أثرهم ، لتصير عند الله من الفائزين ، وعند رعاياك من الممتدحين المشكورين (ما دمت حياً) ^(٥) .

دخل الأحنف بن قيس ^(٦) على معاوية يوماً من الأيام فقال له معاوية : كيف الزمان يا [أبا بحر] ^(٧) ؟

قال : يا أمير المؤمنين أنت الزمان إن صلحت صلح (الزمان) ^(٨) ، وإن فسدت (فسد) ^(٩) الزمان ، لأنك في رعاياك بمنزلة القلب الذي هو المضغة في الجسد ، فإذا صلحت صلح الجسد ، وإن فسدت فسد الجسد .

ولما آلت الخلافة إلى عمر بن عبد العزيز ^(١٠) رقى المنبر فقال : أيها الناس قد ابتليت بهذا الأمر من غير رأي مني ولا رغبة لي ولا طلبة ، وأنا قد

(١) من (د) ، (ص) .

(٢) في (د) أيها الملك إلى .

(٣) في (د) الدهر .

(٤) ليست في (د) .

(٥) ليست في (ص) .

(٦) الأحنف بن قيس التميمي ، من رجالات الأمة وعظماء الرجال ، ومن يضرب بحلمهم المثل ، انظر ترجمته في : سير أعلام النبلاء (٤/٨٦) .

(٧) في (الأصل) أبا الحر ، والمثبت من (د) وهو صحيح .

(٨) ليست في (د) .

(٩) ليست في (د) .

(١٠) تقدمت ترجمته ، ص ١١٥ .

[خلعت] ^(١) ما في أعناقكم من بيعتي فاختراروا لأنفسكم [غيري] ^(٢)، فصاح المسلمون : قد اخترناك يا أمير المؤمنين ورضيناك وضجوا ضجة واحدة ، فلما سكتوا حمد الله تعالى وأثنى عليه وصلى على نبيه محمد ﷺ ثم قال : أوصيكم بتقوى الله عز وجل ، واعملوا بآخرتكم ، واذكروا الموت ، وأصلحوا سرائركم يصحح الله تعالى علائبتكم ، وإني والله لا أعطي أحداً منكم باطلاً ، ولا أمنع أحداً حقاً ، واعلموا عباد الله أنه من أطاع الله تعالى وجبت إطاعته ، ومن عصى الله تعالى فلا طاعة له . أطيعوني ما أطعت الله تعالى ، فإن عصيته (بارتكابي غير ما أمر الله تعالى به) ^(٣) فلا طاعة لي عليكم ، [ثم نزل فدخل منزله وأرعى الستور فقال له ولده :] ^(٤) ماذا تريد أن تصنع يا أمير المؤمنين ؟

قال : كنت أمس ساهراً فأريد أن أقبل .

قال : يا أبت أتنام عن رد المظالم ؟

قال : إذا استيقظت بعد الظهر إن شاء الله جلست أرد المظالم .

قال : من أين لك يا أبت أن تعيش إلى الظهر فترد المظالم .

فخشع قلبه فقال : ادن مني يا ولدي ، وجعل يقبله بين عينيه وقال : الحمد لله الذي وفق ولدي وجعله معيناً [لي] ^(٥) على ديني ، فخرج وترك النوم وأمر منادياً ينادي : من له ظلامة ؟ فقام رجل ذمي فقال : يا أمير المؤمنين أسألك كتاب الله ، قال : وما شأنك ؟ ، قال : [إن] ^(٦) العباس بن الوليد هذا الحاضر بين يديك

(١) في (الأصل) جعلت ، والمثبت من (د) .

(٢) من (د) ، (ص) .

(٣) ليست في (د) .

(٤) من (د) ، (ص) .

(٥) من (ص) .

(٦) من (ص) .

غصبني أرضي ، فالتفت إليه أمير المؤمنين وقال : ما يقول؟ [فقال يا أمير المؤمنين أقطعنيها الوليد حين كان أمير المؤمنين] ^(١) .

فقال الذمي : أسألك كتاب الله .

فقال عمر : [كتاب الله] ^(٢) أحق اتباعاً من كتاب أمير المؤمنين الوليد ،
اردد عليه أرضه يا عباس ، فردها ثم صار لا يدع شيئاً مما في أيدي أهل بيته من
المظالم إلا ردها لمستحقها .

قال مالك بن دينار ^(٣) : لما وليَّ عمر بن عبد العزيز قالت رعاة الشاة :
هذا الرجل الصالح الذي تولى (الخلافة) ^(٤) على المسلمين ، قيل : وما علمكم به ؟
قالوا : إن السباع والذئاب كفت [عن] ^(٥) شاهنا ولا يكون هذا إلا من عدل الإمام .

قال (محسن) ^(٦) القصاب : لقد مررت بشياه فيها نحو ثلاثين وحشاً أحسبهم
كلاب فقلت لرعاتها : لقد أكثرتم من الكلاب في شياهم .

قالوا : إنما هي ذئاب .

فقلت : إن هذا لعجيب .

(١) من (د) .

(٢) من (د) .

(٣) هو مالك بن دينار البلخي الزاهد العابد ، توفي سنة ١٣١ هـ ، وانظر ترجمته في : السير
(٣٦٢/٥) ، وطبقات ابن سعد (٢٤٣/٧) ، وطبقات خليفة (٢١٦) ، وشذرات الذهب (١٧٣/١)
وغيرها .

(٤) في (ص) خليفة .

(٥) من (ص) .

(٦) في (ص) حسن .

قال الرعاة : أو ما علمت أن [الحاكم كالقلب] ^(١) ، والرعايا بمنزلة الجسد ، فالقلب إذا صلح صلح الجسد وبالعكس .

وروى [الزهري] ^(٢) ^(٣) قال : دخلت على أمير المؤمنين عمر بن عبد العزيز وهو يقسم بيت مال الفيء ، وله ولد صغير بجانبه ، فمد الوليد يده فتناول (ديناراً) ^(٤) فانتزعه بعنف وألقاه على الفيء ، فقام الولد من عنده يبكي فقلت : (لو تركت له) ^(٥) يا أمير المؤمنين ؟

قال : ذكرت قول رب العالمين : ﴿ مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَى (فَلِلَّهِ وَلِلرَّسُولِ) ^(٦) ﴾ الآية .

فمن أجل هذا الوعيد الشديد تورع عن الدنيا الزاهدون ، وشمر عن [الثلوث] ^(٧) بها ذيل العابدين ، لم يرض عمر بن عبد العزيز أن [يترك] ^(٨) لولده (فلساً) ^(٩) واحداً ، مما جعله الله تعالى لليتامى والمساكين .

(فانظر يا ملك الزمان كيف تورع عمر بن عبد العزيز أن يدع الدينار لولده الصغير ، وهو من مال خراج القرى الذي جعله الله للفقراء الذين ذكرهم الله في كتابه العزيز ، فكيف الجواب غداً عند الله حين يسأل كل راع عن رعيته ، لكن

(١) في (الأصل) ، (د) جاءكم الوقت كالمقلب ، والمثبت من (ص) وهو الموافق للسياق .

(٢) في (الأصل) ، (ص) الفهروري ، وهو تحريف ، والمثبت من (د) و(ص) ، وهو الصواب .

(٣) هو محمد بن مسلم بن عبيد الله بن عبد الله بن شهاب الزهري ، الإمام العلم الحافظ الفذ ، توفي سنة ١٢٥ هـ . وانظر ترجمته في : السير (٣٢٦/٥) ، وطبقات خليفة (٢٦١) ، وطبقات الأولياء (٣٦٠/٣) وغيرها .

(٤) في (د) ، (ص) درهما .

(٥) في (د) أما تركته ، وفي (ص) ألا تركته .

(٦) ليست في (ص) ، والآية من سورة الحشر ، آية رقم (٧) .

(٧) في (الأصل) القلوب ، والمثبت من (د) ، (ص) .

(٨) في (الأصل) يتركوا ، والمثبت من (د) .

(٩) في (د) ، (ص) درهما .

سبب هذا الزهد العظيم وحرصه أن يتعاطى لولده أو لنفسه (فلساً) ^(١) واحداً من بيت مال المسلمين ، الذي جعله الله تعالى للفقراء واليتامى والمساكين ، سعد السعادة الأبدية ، وحظي عند سيد المرسلين عليه الصلاة والسلام ^(٢) .

روي أنه رُوي في المنام جالساً بجانب النبي ﷺ ويليه أبو بكر وعمر ^(٣) ، فقيل : يا رسول الله أيجلس هذا اليك (مقديماً) ^(٤) على أبي بكر وعمر ؟

قال : لأنه حكم بالعدل في زمن الجور [وهما حكما بالعدل في زمن العدل] ^(٥) ^(٦) .

فانظر (يا ملك الزمان) ^(٧) إلى استعمال العدل كيف يقرب صاحبه إلى غاية القرب من حضرة [صاحب] ^(٨) الجنب الرفيع محمد (سيد المرسلين) ^(٩) ﷺ ([وزاده فضلاً وشرفاً لديه] ^(١٠) ، فهنيئاً له من إمام ما كان أعدله ، وسيداً ما كان أكمله وأخوفه من رب العالمين) ^(١١) .

روي أنه أصبح ذات يوم جالساً لتعاطي الحكومات إذ (دخلت عليه) ^(١٢)

(١) في (د) ، (ص) درهماً .

(٢) هذا المقطع في (د) بتقديم وتأخير في الألفاظ .

(٣) تقدمت ترجمتهما ، ص ١١٨ ، ص ٧٧ .

(٤) في (د) متقدماً .

(٥) من (د) .

(٦) أوردها المزي في : تهذيب الكمال (٣٣٨/٣٢) عن يعقوب بن شيبه في تاريخه .

(٧) في (د) أيها الملك .

(٨) من (د) .

(٩) ليست في (د) .

(١٠) ليست في (ص) .

(١١) ليست في (د) .

(١٢) في (د) أنت إليه .

امرأة فقالت : رأيت لك الليلة مناماً يا أمير المؤمنين [وأريد أن] ^(١) أقصه عليك ؟

قال : ما رأيتي في منامك أيتها المرأة ؟

قالت : رأيت كأن القيامة قد قامت - فاصفر لونه - وحشر الناس
لحساب ، ونصب الميزان ، ومد الصراط على متن جهنم - فجثى عمر على
ركبتيه .

فقالت : وإذا المنادي ينادي : أين مروان بن الحكم ^(٢) أمير المؤمنين ؟

فأتي به (ويداه مغلولتان إلى عنقه) ^(٣) يرفل في قيوده ، فأمر به فصعد
الصراط فارتج به فخر على أم رأسه في النار .

ثم نادى المنادي : أين (فلان بن فلان) ^(٤) [فأتي به ويداه مغلولتان إلى عنقه
يرفل في قيوده فأمر به فصعد على الصراط فارتج به فخر على أم رأسه في
النار] ^(٥) [ثم نادى المنادي] ^(٦) .

ثم نادى المنادي : أين عمر بن عبد العزيز أمير المؤمنين فأتي بك -
(فصرخ عمر بن عبد العزيز) ^(٧) وخر مغشياً عليه لا يفيق - فصارت المرأة
تصرخ في أذنه وتقول : والله رأيتك قد نجوت ، وهو لا يفيق إلى الليل ^(٨) .

(١) من (د) .

(٢) تقدمت ترجمته ، ص ١٢٨ .

(٣) ليست في (د) .

(٤) في (د) ابن عبد الملك بن مروان أمير المؤمنين ، وطمست في (ص) عمداً .

(٥) من (د) .

(٦) من (ص) .

(٧) في (د) فلما سمع ذلك عمر .

(٨) ثم أر هذه القصة مسندة .

فانظر (يا ملك الزمان) ^(١) شدة هذا الخوف الذي كاد ينفطر منه قلب الإنسان ، (هذا) ^(٢) وهو أعدل خليفة بعد الخلفاء الراشدين ، فماذا يكون حالك غداً أنت عند رب العالمين ؟

ولما آلت الخلافة إلى [هارون] ^(٣) الرشيد ^(٤) وفد العلماء إليه يهنئونه بالخلافة إلا سفيان الثوري ^(٥) ، وكان مصاحباً له قبل الخلافة ، فلما ولي الخلافة تباعد عنه سفيان لما علم فيها من الخسران [عند مخالطة السلطان] ^(٦) فكتب إليه الرشيد : من عبد الله هارون إلى أخيه سفيان أما بعد :

يا أخي فقد علمت أن الله تعالى آخى بين المؤمنين فقد آخيتك مؤاخاة لم أصرم منها حبلاً ، ولا قطعت لك منها وداً ، وإني منطو لك على أفضل ما تعهده مني من المحبة والمودة ، ولولا هذه القلادة التي قلدنيها الله تعالى لأتيتك ولو حبواً ، لما أجد لك في قلبي من الاشتياق ، ولم يبق أحد من إخواني وإخوانك إلا زارني وقد استبطأتك ، (ولا) ^(٧) يخفاك (في حق المؤمنين وزيارتهم إخوانهم) ^(٨) ، فإذا ورد عليك كتابي فاعجل إلي لترى ما تقر عينك مني والسلام .

(١) في (د) أيها الملك .

(٢) ليست في (د) .

(٣) من (د) ، (ص) .

(٤) هو هارون بن محمد بن المنصور الخليفة العادل الملقب بالرشيد ، كان محباً للدين والعلماء موقراً لهم، وكان يحج عاماً ويغزو عاماً ، وكان قصاباً للزنادقة ، ، توفي سنة ١٩٣ هـ — انظر ترجمته في : السير (٢٨٦/٩) ، والمعارف (٣٨١) ، وتاريخ الطبري (٢٣٠/٨) . وتاريخ بغداد (١٤١/٥) ، وشذرات الذهب (٣٣٤/١) .

(٥) هو الإمام العالم الزاهد الحافظ أمير المؤمنين في الحديث سفيان بن سعيد الثوري ، توفي سنة ١٦١ هـ . وانظر ترجمته في : السير (٢٢٩/٧) ، وطبقات ابن سعد (٣٧١/٦) ، وطبقات خيفة (١٦٨) . وحلية الأولياء (٣٥٦/٦) وغيرها كثير .

(٦) من (د) . (ص) .

(٧) في (د) ولأنه .

(٨) ليست في (د) . (ص) .

ثم طوى الكتاب ودعا عباد الطالقاني وناولته الكتاب وقال : (أوصله) ^(١) إلى سفيان [الثوري] ^(٢) .

[قال : فأخذه عباد الطالقاني ودخل الكوفة وسأل عن سفيان] ^(٣) ف قيل إنه بالمسجد فأتاه فلما رآه سفيان قال : أعوذ بالله من الشيطان الرجيم ، ثم قام مستقبلاً يصلي ولم يكن وقت صلاة .

قال عباد : فنزلت عن دابتي وربطتها بباب المسجد فدخلت وسلمت ، فرد علي السلام من (في مجلسه) ^(٤) ، فوقفت طويلاً (وكلهم) ^(٥) باهتون ساكتون ما منهم أحد يعرض علي الجلوس ولا يسألني ممن أتيت ، فلحقني رعدة من هيبتهم . فلما سلم سفيان من صلاته ناولته الكتاب فلم يمد يديه فتباعد عنه كأنه حية . ثم قال (لأحد) ^(٦) من عنده : اقرأ ما فيه .

فلما قرأه سمع سفيان ما فيه تبسم كالمتعجب ، ثم قال للذي قرأه : اردد له الجواب في ظهر كتابه .

فقلت : يا أبا عبد الله إنه خليفة فلو كتبت له في قرطاس ؟

قال : يا عباد ، بل في ظهر مكتوبه ليعود مكتوبه إليه ، فإن كان اكتسبه من حل ، فسيجزى به ، وإن كان اكتسبه من حرام فسيصلى به في الآخرة فكتب إليه : الحمد لله ، أما بعد فليعلم أمير المؤمنين أنني قد صرمت حبله وقطعت وده ، فكن أنت يا أمير المؤمنين على حذر فيما وليت ، واعلم أنك ستقف غداً بين يدي

(١) في (د) أوصل هذا الكتاب .

(٢) من (د) ، (ص) .

(٣) من (د) .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) في (د) نواحد .

[رب العالمين] ^(١) الحكم العدل فيجازيك بالعدل عدلاً وبالجور جوراً ، فاتق الله
[تعالى] ^(٢) (في نفسك) ^(٣) ولا تغتر بما أوتيته ، فقد صرت للظالمين إماماً ، وكفاك
يا مغرور حتى تدعوني إليك وأنت في هذه الحالة ، بئس والله من [محب يجذب
محبوبه] ^(٤) إلى عذاب النار ، ومفارقة الأخيار .

والله يا أمير المؤمنين إن قدومي عليك لا يغني عنك من الله شيئاً ، فلا
يقربك إلى الجنة ولا يبعدك عن النار ، فكأنني بك يا هارون وقد بلغت بك الروح
التراق ، وقيل من راق ، وظن أنه الفراق ، فلم تشعر إلا وقد أخذت بضيق
الخناق ، ووردت المشاق ، وأنت ترى حسناتك في ميزان غيرك ، وسيئات غيرك
في ميزانك (على سيئاتك) ^(٥) بلاء على بلاء ، وظلمة على ظلمة .

إنما أوصيك بتقوى الله عز وجل ، فاتق الله في رعاياك ، واحفظ محمداً ﷺ
في أمته ، واعلم أن هذا الأمن لم يصر إليك إلا وهو صائر إلى غيرك ، هكذا
الدنيا تفعل بأهلها واحداً بعد واحد ، فمنهم من يزود زاداً أنفقه في أخراه ، ومنهم
من خسر دينه ودنياه ، ثم ناولني الكتاب من غير طي فأقبلت به وقد نالني به من
الموعظة ما أيقظني مما كنت فيه من الغفلة ، فصرمت حبل [ود] ^(٦) أمير
المؤمنين ، وألقيت ما كان على من ملبوس كنت (أجالسه به) ^(٧) ، ولبست جبة من
صوف ، وأقبلت أقود البرذون الذي كنت راكبه .

(١) من (ص) .

(٢) من (د) ، (ص) .

(٣) ليست في (د) ، (ص) .

(٤) في (الأصل) : محبة محتويها ، والمثبت من (د) .

(٥) ليست في (د) ، (ص) .

(٦) من (د) ، (ص) .

(٧) في (د) أجالس به أمير المؤمنين .

فلما رأوني الحجاب أنكروني لما (رأوني على تلك الحالة) ^(١) فنهروني وضردوني . فعرفني بعضهم فأدخلني ، فلما رأني أمير المؤمنين تغرغرت عيناه بالدموع وقال : إنا لله وإنا إليه راجعون ، لقد سعد الرسول وخاب المرسل ، فتأوتته الكتاب فصار يقرأه ودموعه تنحدر وقال : لقد جعل الله [تعالى] ^(٢) سفيان أمة وحدة . ولم يزل الكتاب عنده لا يفارقه ويقرأه عند كل صلاة .

روي أن الإمام أبا جعفر ^(٣) دخل على (الرشيد) ^(٤) يوماً فوجده في أشد (الوجل) ^(٥) والغضب (والصخب) ^(٦) ، فقال : يا أمير المؤمنين إن كان غضبك لرب العالمين فلا تسرف في غضبك ، (ولا تغضب أكثر من غضبه لنفسه سبحانه) ^(٧) . فقد حد [سبحانه] ^(٨) لكل شيء حداً فلا تتعد حدوده ، فقد ملكك عبيده فعامله فيهم بالعفو والحكم ، واقتد بقول الراسخين في العلم ، واذكر حال (وقوفهم بين يديك و) ^(٩) وقوفك بين يديه ، [وسؤالك عنهم] ^(١٠) عند قدومك عليه ، فسكن غضب أمير المؤمنين .

(١) في (د) رأو من حالتي .

(٢) من (د) .

(٣) لم أستطع معرفته ، وإن كان الظاهر أن هذا اللقب لا يقال إلا للباقر محمد بن علي بن الحسين بن علي بن أبي طالب عليه السلام ولكنه توفي سنة ١١٨ هـ ، وهارون مات سنة ١٩٣ هـ ، فقد مات قبل هارون ، فإن كان هو فهذا خطأ من المصنف وإن كان غيره فالله أعلم به .

(٤) في (د) المنصور .

(٥) ليست في (د) ، (ص) .

(٦) ليست في (د) ، (ص) .

(٧) ليست في (د) ، (ص) .

(٨) من (د) .

(٩) ليست في (د) ، (ص) .

(١٠) في (الأصل) والتعاضد منهم سؤالك ، والمثبت من (د) و(ص) .

قَالَ النَّبِيُّ ﷺ : " إِنْ أَلَّهَ لِيْمَلِي لِلظَّالِمِ حَتَّى إِذَا أَخَذَهُ لَمْ يَفْلْتِهِ " (١) .

فَوَيْحُكَ أَيُّهَا الْأَمِيرُ ، أَرْحَمِ الصَّغِيرَ ، وَاعْفُ عَنِ الْكَبِيرِ ، وَعَامِلْ رِعَايَاكَ بِمَا تَحِبُّ أَنْ يَعَامَلَكَ اللَّطِيفُ الْخَبِيرُ ، فَإِنَّ الْعَمْرَ قَصِيرٌ ، وَالنَّاقِدَ بَصِيرٌ ، وَالْحِسَابَ عَسِيرٌ [وَالْمِيزَانَ عَلَى الذَّرَّةِ يَطِيرُ ، وَالنَّاسَ فَرِيقَانِ فَرِيقٌ فِي الْجَنَّةِ وَفَرِيقٌ فِي السَّعِيرِ] (٢) ، وَإِنَّهُ لَا طَاقَةَ لَكَ بِحَرِّ نَارِ السَّعِيرِ .

(قَالَ رَسُولُ اللَّهِ ﷺ : " إِنْ أَهْوَنَ النَّاسُ عَذَاباً يَوْمَ الْقِيَامَةِ رَجُلٌ تَوَضَّعَ تَحْتَ أَخْمَصِيهِ جَمْرَتَانِ يَغْلِي مِنْهُمَا دِمَاغُهُ ، لَا يَرَى أَنْ أَحَدًا أَشَدَّ عَذَاباً مِنْهُ ، وَإِنَّهُ لَأَهْوَنُ النَّاسِ عَذَاباً يَوْمَ الْقِيَامَةِ " (٣) .

(فِيَا مَلِكَ الزَّمَانِ كُنْ عَلَى حَذَرٍ ، وَتَمَسَّكْ بِهَذِهِ الْأَحَادِيثِ الشَّرِيفَةِ الدَّالَّةِ عَلَى عَذَابٍ مَنْ لَا يَعْدِلُ فِي رَعِيَّتِهِ) (٤) ، وَقَدْ أَنْشَدَ بَعْضُهُمْ هَذِهِ الْأَبْيَاتَ شِعْراً :

مَنْ ذَا الَّذِي قَدْ حَازَ رَاحَةَ سَرِهِ	فِي (عَسْرِهِ) (٥) إِنْ كَانَ أَوْ فِي (يَسْرِهِ) (٦)
إِنِّي رَأَيْتُ الطَّيْرَ فِي (طَيْرَانِهَا) (٧)	فَرَأَيْتُ أَكْثَرَهَا يَصَادُ بَوَكَرِهِ
وَأَخُو الْوَزَارَةِ لَمْ يَزَلْ مَتَرَجِفاً	مِمَّا يَلَاقِي مِنْ نَوَائِبِ دَهْرِهِ

(١) أَخْرَجَهُ الْبُخَارِيُّ فِي صَحِيحِهِ (٤٤٠٩) ، كِتَابُ التَّفْسِيرِ ، بَابُ قَوْلِهِ : ﴿ وَكَذَلِكَ أَخَذَ رَبُّكَ إِذَا أَخَذَ الْقُرَى وَهِيَ ظَالِمَةٌ إِنْ أَخَذَهُ أَلِيمٌ شَدِيدٌ ﴾ . وَمُسْلِمٌ (٢٥٨٣) ، كِتَابُ الْبِرِّ وَالصَّلَةِ ، بَابُ تَحْرِيمِ الظُّلْمِ .

(٢) مِنْ (د) ، (ص) .

(٣) أَخْرَجَهُ الْبُخَارِيُّ فِي صَحِيحِهِ (٦٥٦٢) ، كِتَابُ الرِّقَائِقِ ، بَابُ صِفَةِ الْجَنَّةِ وَالنَّارِ ، وَمُسْلِمٌ (٢١٣) ، كِتَابُ الْإِيمَانِ ، بَابُ أَهْوَنَ أَهْلِ النَّارِ عَذَاباً بَنَحُو حَدِيثَ الْمُصَنِّفِ .

(٤) نَيْسَتْ فِي (د) ، (ص) .

(٥) فِي (د) يَسْرِهِ .

(٦) فِي (د) عَسْرِهِ .

(٧) فِي (د) ، (ص) أَوْطَارَهَا .

وكذلك سلطان في أحكامه
 [وكذا منك الأرض تأتي طاعة
 يهدوا إليه تحفة في يدهم
 والله لو عاش الفتى من عمره
 متنذراً فيها بكر (نفيسه) ^(٢)
 لا يعرف الأسقام فيها مرة
 ما كان ذلك كله ممّا يفي
 رهن الهموم على جلاله قدره
 متجمعين جميعهم في قصره
 حتى تكامل عزة مع فخره ^(١)
 ألفاً من الأعوام مالك أمره
 ومبلغاً فيها مآرب (أمره) ^(٣)
 كلا ولا تجري الهموم بفكره
 بمبيت أول ليلة في قبره

[و] ^(٤) دخل ابن السماك ^(٥) على أمير المؤمنين فقال : يا أمير المؤمنين إن
 ببابك ناراً تأجج قد أضرمها حجابك وأنت مسؤول عن ذلك ، فاتق الله يا أمير
 المؤمنين ولا تصلح دنياك بفساد آخرتك .

(يا أمير المؤمنين إن عمالك قد اتخذوك سلماً للتوصل إلى شهواتهم) ^(٦) ،
 وأنت كالماسك (حبل) ^(٧) الشاة [وهم الحالبون] ، وإنهم لن يغنوا عنك من الله
 شيئاً .

(١) ليست في (د) ، (ص) .

(٢) في (د) معيشة .

(٣) في (د) فخره .

(٤) من (د) .

(٥) هو الواعظ ابن السماك أبو العباس محمد بن صبيح الكوفي الزاهد مولى بني عجل ، توفي سنة
 ١٨٣ هـ ، وانظر ترجمته في : شذرات الذهب (١/١٥٠) .

(٦) ليست في (د) ، (ص) .

(٧) في (د) ، (ص) قرن .

يا أمير المؤمنين [والله] ^(١) لو أن قميصاً من ملبوس أهل النار ألقى في الأرض لصارت الأرض وما فيها من جبال وبحار وأشجار جمرة حمراء ، فكيف بمن لبس ذلك القميص .

يا أمير المؤمنين والله لو ظهر من النار مقدار أنف ثور بالمشرق ورجل بالمغرب لسان دماغه من شدة حرها .

يا أمير المؤمنين إن جهنم لتزفر يوم القيامة زفرة فلا يبقى ملك مقرب ولا نبي مرسل إلا جثى على ركبتيه .

يا أمير المؤمنين إن أشد الناس عذاباً يوم القيامة رجل آتاه الله حكماً فجار في حكمه ولم يعدل في رعيته .

يا أمير المؤمنين أين من سبقك من الملوك الذين لم يكن (همتهم) ^(٢) إلا نشر العدل في الرعايا واقتناء المحامد وسد الثغور وإتقان (القناطر) ^(٣) (والجسور وأمن السبل) ^(٤) والتقرب إلى الله تعالى بفعل الخيرات وإزالة المنكرات (بما آثاره باقية إلى الآن) ^(٥) .

أين الملوك الذين بنوا المدائن (وحصنوها وعمروا القصور وزخرفوها ، فبدلوا بعد القصور قبوراً ، وتجددوا بعد الأسرة صخوراً قد سالت والله منهم) ^(٦) الحديق السود على صفحات الخدود ، وتمزقت منهم المفاصل وفنيت الجلود ، ورتع في نفيس الأجسام معظم الدود . مسوا والله متندمين على عدم الازدياد من فعل

(١) من (د) .

(٢) في (د) نهد همة .

(٣) في (د) الأمور .

(٤) ليست في (د) . (ص) .

(٥) ليست في (د) . (ص) .

(٦) زاد في (الأصل) منك ، وهي زيادة مقحمة .

الخيرات ليوم المعاد^(١) ، (فوالله إنهم)^(٢) أصبحوا رهن أعمالهم في ظلمات القبور إلى يوم البعث والنشور ، متأسفين على ما فرطوا في هذه الدار ، وتحققوا أنما هي دار البوار ، (فلا تغتر بصدقات الحياة الدنيا فإنها دار غرور ، والراكن فيها من غير بصيرة فهو غني مغرور)^(٣) ، فطوبى لمن نظر فيها بعين الاعتبار .

فتفكر [يا]^(٤) أمير المؤمنين فيما حل ممن سبقك من ملوك الأقطار ، (ولا تغتر بصحبك فإنها مهزولة لهم على الآثار ، فاستعذ بالله ممن ارتكب ببغيه وجوره منهم معظم الأوزار ، فأولئك لهم جهنم يصلونها فبئس القرار .

فارتدع لنفسك يا أمير المؤمنين)^(٥) [وتيقظ لنفسك]^(٦) واحذر عواقب التبعات (واستحلل من استطعت مما اقترب من المظالم الموبقات)^(٧) ، وعامل رعاياك بما ترجو أن يعاملك به جبار الأرض والسموات .

واعلم أن [وراءك]^(٨) [طلب حثيث]^(٩) سيدركك لا محالة ، وأنت سائر إليه (لا تشعر)^(١٠) ، فالحذر (كل الحذر)^(١١) من ارتكاب البغي والضلالة ، فراقب في

(١) ليست في (د) ، (ص) .

(٢) في (د) قد أصبحوا .

(٣) ليست في (د) ، (ص) .

(٤) من (د) ، (ص) .

(٥) ليست في (د) ، (ص) .

(٦) من (د) ، (ص) .

(٧) ليست في (د) ، (ص) .

(٨) في (الأصل) وراء ، والمثبت من (د) .

(٩) في (الأصل) طائب حيث ، والمثبت من (ص) .

(١٠) ليست في (د) ، (ص) .

(١١) ليست في (د) ، (ص) .

أفَعَنْتَ (وَأَمْرَكَ) ^(١) دِيَانِ يَوْمِ (الدِّينِ) ^(٢) ، وَاجْتَهِدْ أَنْ تَكُونَ (يَوْمَ الْقِيَامَةِ) ^(٣) مِنْ الْفَائِزِينَ ، (قَالَ اللَّهُ تَعَالَى فِي مُحْكَمِ الْقُرْآنِ الْمُبِينِ : ﴿ تِلْكَ الدَّارُ الْآخِرَةُ نَجْعَلُهَا لِلَّذِينَ لَا يُرِيدُونَ عُلُوًّا فِي الْأَرْضِ وَلَا فَسَادًا وَالْعَاقِبَةُ لِلْمُتَّقِينَ ﴾) ^(٤) ^(٥) .

قَالَ رَسُولُ اللَّهِ ﷺ : " مَنْ أَخَذَ حِظَّهُ مِنْ (الْمَوْعِظَةِ) ^(٦) [فَقَدْ] ^(٧) هَدَى إِلَى صِرَاطٍ مُسْتَقِيمٍ ، وَمَنْ لَمْ يَقْبَلِ النَّصِيحَةَ فَلَيْسَتْهُدًى لِلْعَذَابِ الْأَلِيمِ " ^(٨) .

(دَخَلَ عَالَمَ اسْمِهِ إِلْيَاسَ) ^(٩) عَلَى مَلِكِ خِرَاسَانَ ، فَذَكَرَ عِنْدَهُ كَلِمَةً فَغَضِبَ مِنْهَا الْمَلِكُ ، فَأَمَرَ بِحَبْسِهِ ، فَبَقِيَ مَدَّةً ، فَبَيْنَمَا الْمَلِكُ ذَاتَ يَوْمٍ تَذَكَّرَهُ فَأَمَرَ بِإِحْضَارِهِ ، فَلَمَّا أَحْضَرَهُ قَالَ : لَقَدْ رَكِبْتَ الْخَطَرَ الْعَظِيمَ حِينَ كَلَمْتَنِي ذَلِكَ الْكَلَامَ ، أَوْ مَا عَلِمْتَ أَنْ مِنْ تَجَرُّأٍ عَلَى السُّلْطَانِ فَقَدْ عَرَضَ نَفْسَهُ إِلَى الْهَوَانِ .

فَقَالَ لَهُ الْعَابِدُ : أَوْ مَا عَلِمْتَ أَنْ جَوْرَ السُّلْطَانِ يَجْرُهُ عَلَى وَجْهِهِ إِلَى النَّيْرَانِ .

قَالَ : فَلَمْ لَا يَقُولِ الْعُلَمَاءُ مِثْلَ قَوْلِكَ ؟

قَالَ : يَخْشَوْنَ سَطَوَتَكَ وَبَطْشَكَ ، وَأَنَا لَا أَطْمَعُ فِي عَصِيَانِكَ ، وَلَا أَخْشَى مِنْ بِلَانِكَ .

فَقَالَ الْمَلِكُ : اطْلُبْ مِنِّي حَاجَةً ؟

(١) فِي (د) وَأَقْوَالُكَ .

(٢) فِي (د) الْقِيَامَةُ .

(٣) فِي (د) فِي ذَلِكَ الْيَوْمِ .

(٤) لَيْسَتْ فِي (د) .

(٥) سُورَةُ النِّقَمِ ، آيَةُ رَقْمِ (٨٣) .

(٦) فِي (د) الْمَوْعِظَةُ .

(٧) مِنْ (د) .

(٨) لَمْ أَجِدْهُ .

(٩) لَمْ أَعْرِفْهُ .

قال : إني قد كبرت وأسألك أن ترد علي شبابي .

قال : لا أقدر على ذلك .

قال : فأعتقني من النار .

قال : ليس لي على ذلك اقتدار .

قال : فدعني على باب من يقدر على ذلك .

قال : أقسمت لا تخرج من قصري حتى تطلب مني حاجة أفوز بقضائها لك .

فالتفت الشيخ فرأى مملوكاً أسود واقف عند الملك قال : إن يكن ولابد فأطلب من هذا .

قال : فما تستحي مني تطلب من أقل عبيدي ولا تطلب مني ؟!

قال : فاحمل لي أردباً حنطة إلى منزلي .

قال : ما أطيق ذلك ولا فعلت .

قال : فإذا لم تطق ذلك فكيف تطيق تحمل أثقال الناس ؟!

فغشي على الملك ، فلما أفاق طلب العالم فلم يجده ، فأمر بعتق أرقاه وبذل ما كان يملك من دنياه ، وقال : يا من لا يزول ملكه ارحم من قد ترك ملكه ، وخرج الملك عن ملكه ، وخرج هائماً على وجهه .

فواجب على العلماء قول الحق عند ملوك الدنيا ، كما أن العدل واجب على السلاطين . قال رب العالمين : ﴿ وَأَقْسِطُوا إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴾ ^(١) ، وقال

(١) سورة الحجرات . آية رقم (٩) .

تعالى في حق العلماء : ﴿يُؤْتِي الْحِكْمَةَ مَنْ يَشَاءُ﴾ ^(١) ، وقال تعالى في حق السلاطين : ﴿تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ﴾ ^(٢) .

أيها العالم احفظ دينك ، إذا صلح العلماء والملوك صلح الخلق ، وإذا فسدوا فسد الخلق ، فالعالم يحفظ على الناس دينهم ، والسلطان يحفظ عليهم دنياهم ، فجميع ما يحصل في الأرض من فساد لهما هو من فساد العلماء ، والله سبحانه أمر العلماء بقول الحق ، فقال تعالى : ﴿وَقُلِ الْحَقُّ مِنْ رَبِّكُمْ﴾ ^(٣) ، وأمر السلاطين بالعدل ، فإذا عمل السلطان بالعدل استوجب من الله الرضوان والفضل .

كتب ملك الاسلام إلى ملك الروم : أريد منك ثلاث :

الإسلام ، والخراج ، والأسرى وإلا أخرجت بلادك .

فلما وصله الكتاب قال : أما الإسلام فلا أترك دين آبائي وأدخل دينكم وهو دين لا أعرفه ، وأما الأسرى والخراج فأنا لست بعاجز عن المحاربة ، وأما قوله مخرب بلادي ، فلا يقدر : لأنه ظالم أليس قرأ في كتابه : ﴿وَمَا لِلظَّالِمِينَ مِنْ أَنْصَارٍ﴾ ^(٤) فلما وصل الجواب لملك الإسلام بكى وقال : هذا توبيخ ملك قادر فخرج عن ظلمه واجتهد في العدل إلى أن مات رحمه الله ^(٥) .

فكأنني بك يا ملك الزمان وقد قدمت على ربك ووردت الموقف العظيم ، ويداك مغلولتان إلى عنقك فلا يفكهما إلا عدلك وإنصافك ، وإلا خبت وخسرت

(١) سورة البقرة ، آية رقم (٢٦٩) .

(٢) سورة آل عمران ، آية رقم (٢٦) .

(٣) سورة الكهف ، آية رقم (٢٩) .

(٤) سورة البقرة ، آية رقم (٢٧٠) .

(٥) ليست في (ـ) . (ص) .

وهنكت مع الهالكين ، (فانتبه من غفلتك) ^(١) يا سلطان الإسلام ، وعليك بمراقبة
نمك العلام ، فلا تدخل في الدنيا دخولاً ينسبك (الآخرة) ^(٢) .

(واعلم أن العدل محمداً في الدارين) ^(٣) ، ولتعلم أن هذه الولاية ما وصلت
إليك إلا بموت من كان قبلك ، وستصل إلى غيرك بموتك ، فلا تفرط في نفسك ،
[ولا تدخل في الدنيا دخولاً ينسبك آخرتك] ^(٤) وتزود من (دنياك) ^(٥) لآخرتك ،
[واعلم أن العدل محمداً في الدارين] ^(٦) فافتح لرعاياك باب (رحمة وعدل) ^(٧)
لينالوا من حسن سياستك نوع راحة وفضل ، وملاك الأمر كله [المشي] ^(٨) على
التقوى ، فمن تمسك بها (فقد) ^(٩) تمسك بالأقوى . قال بعضهم شعراً :

عليك بتقوى الله سراً وجهرة	فإنك مسؤول وربك عالم
ولا تخشى إلا الله وارحم عباده	فرحمته ذخراً لمن هو راحم
وأحسن إلى من قد توليت أمره	فإن زال عنك الأمر فالأجر دائم
فما ضاع معروف وما خاب محسن	وما نام مظلوم وما ساد ظالم
(فغيرك قد ساد بالعز وارتقى	إلى درجات المجد والخير غانم
وكان عزيز القوم بالله واثقاً	وصار إمام الناس بالفخر راقم
فإن كان ذو عدل على الناس كلهم	حمائته قربي من الله دائم
وكن مستعيناً بالإله وحكمه	فتكفي ظنون السوء قد يصادم

(١) ليس في (ص) .

(٢) في (ص) آخرتك .

(٣) ليس في (د) و (ص) .

(٤) من (د) .

(٥) ليست في (د) ، (ص) .

(٦) من (د) .

(٧) في (د) الرحمة والشفقة والعدل .

(٨) من (د) .

(٩) ليست في (د) ، (ص) .

وكن ماضياً بالقدر خيره وشره
وصن إليّ دائماً ومؤبداً
كذا الآن والأصحاب ما هبت الصبا
فمسكنك الجنات فيها الغنائم
على خير خلق الله عرباً وعاجم
وما ناحت الأطيّار بكما وفاهم

قال رسول الله ﷺ : " إن الله سبحانه وتعالى ليملئ للظالم حتى إذا أخذه لم
يفلته (١) (٢) .

شعر : [وقال بعض البلغاء] (٣) :

أحسن إذا كنت ذا غناء
ثم اختشى تارة الليالي
وعامل الله في الرعايا
لعل تنجو من حر نار
(واخشى الإله من عقاب
(واستعمل العدل في دوام
فحكمة الإله في البرايا
فاحفظ على العدل في حياة
فإن الله يرضى على عبده
فاحفظ على هذه النصائح

فإن دنيأك مستعارة
فإنها تارة وتارة
تجده من أرباح التجارة
وقودها الناس والحجارة
إن دمت في الظلم والخسارة) (٤)
فالخير في العدل حيث داره
دلئل الفضل والعبارة
فالعدل حصن والحق جاره
إذا كان يخشى في العدل ناره
جواهر كالعقود في النضارة) (٥)

(١) ليست في (د) . (ص) .

(٢) تقدم تحريجه . ص ١٤٢ .

(٣) من (د) .

(٤) ليست في (ص) .

(٥) ليست في (د) . (ص) .

واعلم يا ملك الزمان أن الدنيا وإن كانت فانية فإنها مزر
ولتعلم أن الله سبحانه وتعالى ولاك هذه المزرعة ، وعلق بأوسر - - به - -
ضرر ومنفعة ، وحكمك في [البلاد] ^(١) ، وملكك رقاب العباد .

فاياك والخلل بنظام هذه [المزرعة] ^(٢) ، أو تسلم زمام تدبيرها لمن يقابل
(أوامرك فيها) ^(٣) بالإضاعة ، فإن مصالح عساكرك بها منوطة ، ونظام أحوال
ملكك بالعساكر مربوطة ، فإذا عمرت (البلاد) ^(٤) ، أخصبت غلة البلاد والبقاع ،
(فاستراح) ^(٥) الأجناد والرعية ، ((واستمرت مواطن الملك رعية) ^(٦) ، وقلت
المظالم وكفت أكف الظالم) ^(٧) .

وملاك الأمر كله العدل (والاستواء) ^(٨) ومجانبة الأغراض الفاسدة ، والميل
إلى الهوى ، (فهو الذي يقتضيه مقامك ، ويتم به مرامك ، فإن الملك إنما هو ملك
الأجناد ، والنظر في مصالح العباد ، وعليك بتقاليد أحكام الشرع الشريف ،
وتفويض أمورها لحكام الدين المنيف ، ومهما ثبت فيها بموجب الشرع الشريف ،
وعليك النفاذ فذلك [أسرع] ^(٩) إلى نجاتك غداً بين يدي رب (الأرباب) ^(١٠)) ^(١١) .

(١) في (الأصل) البلد ، والمثبت من (د) و (ص) .

(٢) في (الأصل) المزارعة ، وفي (ص) الزراعة ، والمثبت من (د) .

(٣) في (د) ، (ص) أمرك .

(٤) في (ص) الضياع .

(٥) في (ص) واستراح .

(٦) ليس في (ص) .

(٧) ليست في (د) .

(٨) ليست في (د) .

(٩) في (الأصل) الشرع ، والمثبت من (ص) .

(١٠) في (ص) العالمين .

(١١) ليست في (د) .

فالواجب على ولاية الأنام ومالكي أزمة الأحكام أن يراء
سلطان السلاطين ، واستخلاص ^(١) حقوق عباده المستضعفين
يعرضون على رب (العباد) ^(٢) يوم يسأل كل راع عن رعيته ، وينكشف لكل
امرئ (عما) ^(٣) كان في طويته ، فالأمر كله لله ، ولا حول ولا قوة إلا بالله (علي
العظيم والحمد لله وحده) ^(٤) .

(١) زاد في الأصل : أداء ، وهي زيادة لا معنى لها ، والمثبت من (د) ، (ص) .
(٢) في (د) ، (ص) العالمين .
(٣) في (د) ما .
(٤) ليست في (د) .

فصل

(فيما ينبغي اتخاذه من الوزراء) ^(١)

(اعلم أن الملك لابد له من اتخاذ وزراء عقلاء فصحاء نصحاء صلحاء ، عارفين بسدائد الأمور ، إذ لو استغنى عنهم لما قال الله تعالى في حق نبيه موسى صلوات الله عليه وسلامه : ﴿ وَجَعَلْنَا مَعَهُ أَخَاهُ هَارُونَ وَزِيرًا ﴾ ^(٢) .

قال موسى صلوات الله وسلامه عليه : ﴿ وَاجْعَلْ لِّي وَزِيرًا مِّنْ أَهْلِي هَارُونَ أَخِي اشْدُدْ بِهِ أَزْرِي وَأَشْرِكْهُ فِي أَمْرِي ﴾ ^(٣) فالملك لابد له من الوزير ، ولابد للوزير من شركاء يشاركونه في الرأي والتدبير ، بشرط أن يكونوا عقلاء ناصحين متدينين مستقيمين ، ليس بينهم شحناء ولا تباغض ولا تحاسد ولا تباين ، كلهم في قلب رجل واحد ، فقد كان النبي ﷺ يشاور أصحابه أبا بكر وعمر وعثمان وعلي ، وكانوا بمنزلة وزراءه ، وكان يقول لهم : " أشيروا " ^(٤) ، فمن أجل ذلك امتدحهم الله تعالى بقوله : ﴿ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ ﴾ ^(٥) (^(٦)) فيجب على ولي الأمر أن يتخذ وزراء [عقلاء] ^(٧) نصحاء فصحاء دأبهم الدين والتقوى ، متصفين بحسن التدبير ، لا ينفرد واحد منهم بقول ولا فعل إلا بعد المشاورة مع بعضهم بعضاً ، فإذا تشاوروا في ذلك واتفق رأيهم على ذلك الفعل ، (فلا يقدم

(١) ليست في (د) ، (ص) .

(٢) سورة الفرقان ، آية رقم (٣٥) .

(٣) سورة طه ، آية رقم (٢٩ - ٣٢) .

(٤) تقدم تخريجه ، ص ٤٦ .

(٥) سورة الشورى ، آية رقم (٣٨) .

(٦) ليست في (د) ، (ص) .

(٧) من (د) .

كبير منهم عنى عرض ذلك على الملك) ^(١) إلا بعد الاستخارة أيضا ، فإنه ما خاب من استخار ، ولا ندم من استشار ، والحذر أن يكون بينهم (تباغض أو تحاسد وشحناء) ^(٢) . فإنهم إذا كانوا بهذه الصفات أدى ذلك إلى إصلاح الملك ، فينبغي أن لا يخرج الملك عن رأيهم ولا ينفذ أمراً إلا بمعرفتهم ، ولا (ينفرد) ^(٣) برأيه دونهم ، (قال رسول الله ﷺ : " ما من رجل من المسلمين أعظم أجراً من وزير صالح مع إمام يطيعه فيأمره بدين الله تعالى " ^(٤)) .

وقال العارفون بالله تعالى : أمن الوزير للسلطان كالجناح للطائر .

وقال بعض الملوك : إذا كان الوزير محباً للعدل فلا اعتبار بعدي لأنني إذا أردت الجور على الظلم عدلني وعلى الحق ميلني ، وإذا أردت الحق وهو العدل فعن الضلال عدلني ، وعلى الحق حملني وبالصدق حملني .

يصدق هذا قول سادات الخليفة : " إذا أراد الله تعالى بالأمير خيراً جعل له وزيراً صادقاً ، إن نسي ذكره وإن ذكره أعانه ، وإذا أراد به غير ذلك جعل له وزير سوء . إن نسي لم يذكره ، وإن ذكر لم يعنه " ^(٥) .

(١) ليست في (د) .

(٢) في (د) تحاسد أو تباغض .

(٣) في (د) يستبد .

(٤) أخرجه القضاعي في مسند الشهاب ، باب من ولي من أمر المسلمين فأراد الله به خيراً جعل معه وزيراً صالحاً ، فإن نسي ذكره وإن ذكر أعانه (٥٤٢) ، والخطيب في تاريخ بغداد (١٦/٤) . وإسناده ضعيف ؛ ففرج بن فضالة هو أبو فضالة الشامي الحمصي ، ضعيف الحديث . والنظر الضعفاء والمتروكين لابن الجوزي (٤/٣) .

(٥) 'أخرجه أبو داود (٢٩٣٤) ، كتاب الخراج والفيء والإمارة ، باب في اتخاذ الوزير ، وابن حبان في صحيحه (٤: ٩٤) ، وإسناده صحيح ، كما قال الألباني (٢٩٣٢) .

فالوزير العادل من أمر سلطانه بالعدل في رعاياه ، وخوفه من الله ، ويجب على الملك أن لا يقدم على فعل شيء إلا بعد المشاورة في رعاياه مع وزيره) ^(١) .

قال بعض الحكماء : إن من القواعد الكسروية ^(٢) [الدائرة] ^(٣) بين البرية (ما وضعه بعض الملوك وجبل فيه من بعده على السلوك) ^(٤) أن يكون للملك وزراء عقلاء فصحاء أتقياء ، متصفين بغزارة الدين ، والعفة ، وعدم الطيش والخفة .

وينبغي أن يكون الوزير صحة ملكه أحب إليه من صحة جسمه ، وأن يقدم مراد الملك على مراده بصحة التدبير وحسن السياسة ، وأن يتعهد الرعايا كتعهده إماطة فضلات نفسه ، وليحرص أن يقع في مملكة أستاذه أدنى خلل ، أو يظهر فيها أدنى عيب ، وليحذر مصادقة أعداء الملك أو معادة أصدقائه ، ويجتهد في صيانة عرض ملكه ولا يدخر عنه نصيحة) ^(٥) ، فإذا كانوا بهذه الصفات فلا يخرج الملك عن رأيهم .

قال الحكماء : من ظن من الملوك أن له فطنة تزيد على فطنة وزيره فقد غلط ، وإذا أضاف لذلك الغلط مخالفة الوزير في رأيه لم يفلح ، هذا إذا كان الوزير (تقياً) ^(٦) نقياً عاقلاً عفيفاً عارفاً فاضلاً مدبراً سيوساً .

قال العارفون : يستدل على إدبار الملك بأشياء :

(١) ليست في (د) ، (ص) .

(٢) يعني التي سنّها كسرى ملك الفرس .

(٣) في (الأصل) الدالة ، والمثبت من (د) ، (ص) .

(٤) ليست في (د) .

(٥) ليست في (د) ، (ص) .

(٦) ليست في (د) ، (ص) .

أحدها : بتقليد الوزراء الأحداث ، ومن لا خبرة له بـ «سور» . وعدم التأمل في عواقب الأمور .

ثانيها : أن يقصد أهل مودته (بالإيذاء) ^(٢) .

ثالثها : استهانته بنصائح العقلاء .

رابعها : أن يكون تقريبه وإبعاده بالهوى .

خامسها : [أن ينقص خرجه عن مؤنة اتباعه] ^(٣) .

(قال الحكماء العارفون : الرأي يفسده ثلاثة أشياء : أن يكون الوزراء متحاسدون أو يعدل الملك عن رأيهم مع اتصافهم بالصفات الحميدة ، ويسد برأيه دونهم ، أو يملك التدبير من كان غائباً وأبوا أن لا ينتظرونه .

والحذر أن يكون الوزير قصده من منصب الوزارة جمع المال يغتتمه ، فإن ذلك سبب الشقاء ، بل يكون همته بذل الجد والجهد في إدامة نعمة ملكه التي هي سبب دوام نعمة الوزير) ^(٤) .

وينبغي للوزير أن لا يخفي عن أستاذه نصيحة وأن يساعد عنده على الحق (المحض) ^(٥) بما يصل إليه قدرته ولو في حق عدوه ، فما أقبح من يكون له قول نافذ عند ولي أمر ورأى مظلوماً يستغيث ، فقام يصلي وترك المظلوم يتخبط لا يجد له منجداً ولا معيناً ، فذاك الذي صلاته وبال عليه ، وهو مطالب يوم القيامة بعدم مناصرته (لذلك المظلوم) ^(٦) ، سواء قبل منه أم لا ، فإذا ناصرته ولم يقبل منه

(١) في (الأصل) بالأنداد ، والمثبت من (د) ، (ص) .

(٢) في (د) بالإيذاء .

(٣) في (الأصل) إخراجه عن مودته اتباعه ، والمثبت من (د) ، (ص) .

(٤) ليست في (د) .

(٥) ليست في (د) .

(٦) ليست في (د) .

ذلك ، كان أعذر له عند الله تعالى ، (وكان مثاباً على ذلك) ' ' ، وبريء من المطالبة (في الآخرة) ^(٢) ، وقد قال رسول الله ﷺ : " انصر أخاك ظالماً " ^(٣) ، ومعنى [ذلك] ^(٤) إن كان ظالماً يردّه عن ظلمه .

قال أنو شروان لولده : أكرم وزيرك ، وإياك أن تخرج عن رأيه ، فإنه إذا رآك على ما لا يجوز لا يوافقك عليه .

هذا إذا كان الوزير متصفاً بتلك الصفات الحميدة فلا يجوز مخالفته (البتّة) ^(٥) . والله سبحانه وتعالى أعلم .

(١) ليست في (د) .

(٢) ليست في (د) ، (ص) .

(٣) أخرجه البخاري في صحيحه (٢٣١١) ، كتاب المظالم ، باب أعن أخاك ظالماً أو مظلوماً .

(٤) من (د) ، (ص) .

(٥) في (ص) إليه ، وهو تصحيف .

الباب الرابع
في فوائد ومنافع وخواص
صحت بالتجربة

الباب الرابع

في فوائد ومنافع وخواص صحت بالتجربة

جمعتها من كتب الإمام الجليل أحمد البوني أبي العباس رحمه الله تعالى وغيره يحتاج الناس إليها ، وأشد الناس إليها احتياجاً ولالة الأمور [فأقول وبالله التوفيق] ^(١) :

[فأول] ^(٢) فائدة :

قال الإمام أحمد البوني [رحمه الله] ^(٣) : أربع آيات من أربع سور متواليات في كل آية منها [تقرأ] ^(٤) عشر [مرات] ^(٥) ، فيها من الأسرار ما لا يكاد أن يحصى .

الأولى : في سورة البقرة قوله تعالى : ﴿ أَلَمْ تَرَ إِلَى الْمَلَأِ مِنْ بَنِي إِسْرَائِيلَ مِنْ بَعْدِ مُوسَى إِذْ قَالُوا لِنَبِيِّ لَهُمْ ابْعَثْ لَنَا مَلَكًا نُقَاتِلَ فِي سَبِيلِ اللَّهِ قَالَ هَلْ عَسَيْتُمْ إِنْ كُتِبَ عَلَيْكُمُ الْقِتَالُ أَلَّا تُقَاتِلُوا قَالُوا وَمَا لَنَا أَلَّا نُقَاتِلَ فِي سَبِيلِ اللَّهِ وَقَدْ أَخْرَجْنَا مِنْ دِيَارِنَا وَأَبْنَانَا فَلَمَّا كُتِبَ عَلَيْهِمُ الْقِتَالُ تَوَلَّوْا إِلَّا قَلِيلًا مِّنْهُمْ وَاللَّهُ عَلِيمٌ بِالظَّالِمِينَ ﴾ ^(٦) .

الثانية : في سورة آل عمران قوله تعالى : ﴿ لَقَدْ سَمِعَ اللَّهُ قَوْلَ الَّذِينَ قَالُوا إِنَّ اللَّهَ فَقِيرٌ وَنَحْنُ أَغْنِيَاءُ سَنَكْتُبُ مَا قَالُوا وَقَتْلَهُمُ الْأَنْبِيَاءَ بِغَيْرِ حَقٍّ وَنَقُولُ

(١) من (ص) .

(٢) من (د) .

(٣) من (د) .

(٤) من (ص) .

(٥) في (الأصل) قاتت ، والمثبت من (د) ، (ص) .

(٦) سورة البقرة ، الآية رقم (٢٤٦) .

ذُوقُوا عَذَابَ الْحَرِيقِ ذَلِكَ بِمَا قَدَّمْتُمْ أَيْدِيكُمْ وَأَنَّ الـ
لَلْعَبِيدِ ﴿١﴾ .

الثالثة : في سورة النساء قوله تعالى : ﴿ أَلَمْ تَرَ إِلَى الَّذِينَ قِيلَ لَهُمْ كُفُّوا أَيْدِيَكُمْ
وَأَقِمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ فَلَمَّا كُتِبَ عَلَيْهِمُ الْقِتَالُ إِذَا فَرِيقٌ مِّنْهُمْ
يَخْشَوْنَ النَّاسَ كَخَشْيَةِ اللَّهِ أَوْ أَشَدَّ خَشْيَةً وَقَالُوا رَبَّنَا لِمَ كَتَبْتَ عَلَيْنَا
الْقِتَالَ لَوْلَا أَخَّرْتَنَا إِلَى أَجَلٍ قَرِيبٍ قُلْ مَتَاعُ الدُّنْيَا قَلِيلٌ وَالْآخِرَةُ خَيْرٌ لِّمَنِ
اتَّقَى وَلَا تظْلَمُونَ فَتِيلًا ﴾ (٢) .

الرابعة : في سورة المائدة قوله تعالى : ﴿ وَاتْلُ عَلَيْهِمْ نَبَأَ ابْنَيْ آدَمَ بِالْحَقِّ إِذْ قَرَّبَا
قُرْبَانًا فَتَقَبَّلَ مِنْ أَحَدِهِمَا وَلَمْ يُتَقَبَّلْ مِنَ الْآخَرِ قَالَ لَأَقْتُلَنَّكَ قَالَ إِنَّمَا يَتَقَبَّلُ
اللَّهُ مِنَ الْمُتَّقِينَ ﴾ (٣) .

قال الإمام [أحمد] (٤) البوني رحمه الله : إذا أراد أحد من ولادة الأمور أن
يقاتل قوماً ، وإن وقت دخوله في الحرب وقصده الظفر عليهم بمعونة الله تعالى ،
فليتوضأ ويصلي ركعتين ، ثم يلتقط من الأرض سبع حصيات بقدر الحمص ، كل
حصوة ينتقطها بحرف من حروف " ففج مخمت " ، ثم يضعها في راحة (كف) (٥)
يده اليسرى ، ويأخذ منها حصاة واحدة بيده اليمنى ، فيتلوا عليها الآية الأولى
عشر مرات ، ثم يرفع يده (اليمنى) (٦) بالحصاة [الواحدة] (٧) التي قرأ عليها
فيقول : ﴿ صُمُّ بَكْمٌ عُمِيٌّ فَهَمْ لَا ﴾ (٨) ، ويحذفها أمامه ، ثم يأخذ بيده اليمنى

(١) سورة آل عمران ، آية رقم (١٨١) .

(٢) سورة النساء ، آية رقم (٧٧) .

(٣) سورة المائدة ، آية رقم (٢٧) .

(٤) من (ص) .

(٥) في (د) كفه في ، وفي (ص) كفه .

(٦) نُسِتَ في (ص) .

(٧) من (ص) .

(٨) سورة النقرة ، آية رقم (١٨) .

حصاة (أخرى) ^(١) [من كف يده اليسرى] ^(٢) فيتلوا عليها الآية الثانية عشر
(مرات) ^(٣) ، ثم يرفع يده [بالحصاة] ^(٤) فيقول : ﴿ أَفَحَسِبْتُمْ أَنَّمَا خَلَقْنَاكُمْ عَبَثًا
وَأَنَّكُمْ إِلَيْنَا لَا ﴾ ^(٥) ثم يحذفها خلفه .

ثم يأخذ بيده اليمنى حصاة [رابعة] ^(٦) أخرى فيتلوا عليها الآية الثالثة عشر
مرات . ثم يرفع يده ويقول : ﴿ وَجَعَلْنَا مِنْ بَيْنِ أَيْدِيهِمْ سَدًّا وَمِنْ خَلْفِهِمْ سَدًّا
فَأَغْشَيْنَاهُمْ فَهُمْ لَا ﴾ ^(٧) ، ويحذف الحصاة عن يمينه .

ثم يأخذ بيمينه من يساره حصاة فيتلوا عليها الآية الرابعة عشر مرات ثم
يقول : ﴿ يَا مَعْشَرَ الْجِنَّ وَالْإِنْسِ إِنِ اسْتَطَعْتُمْ أَنْ تَنْفُذُوا مِنْ أَقْطَارِ السَّمَاوَاتِ
وَالْأَرْضِ فَانْفُذُوا لَا تَنْفُذُونَ إِلَّا ﴾ ^(٨) ، ثم يحذفها عن يساره فيتأخر في يساره
ثلاث حصيات ، (ثم يضعها) ^(٩) في رأسه ويدخل المعركة [ويخرج] ^(١٠) فلا يناله
(سوءاً مطلقاً) ^(١١) [بإذن الله تعالى] ^(١٢) .

(١) في (د) ثالثة .

(٢) من (ص) .

(٣) ليست في (د) .

(٤) من (ص) .

(٥) سورة المؤمنون ، آية رقم (١١٥) .

(٦) من (د) ، (ص) .

(٧) سورة يس ، آية رقم (٩) .

(٨) سورة الرحمن ، آية رقم (٣٣) .

(٩) في (د) بصفهم .

(١٠) من (د) ، (ص) .

(١١) في (د) شيء من المكروه مطلقاً بعون الله تعالى .

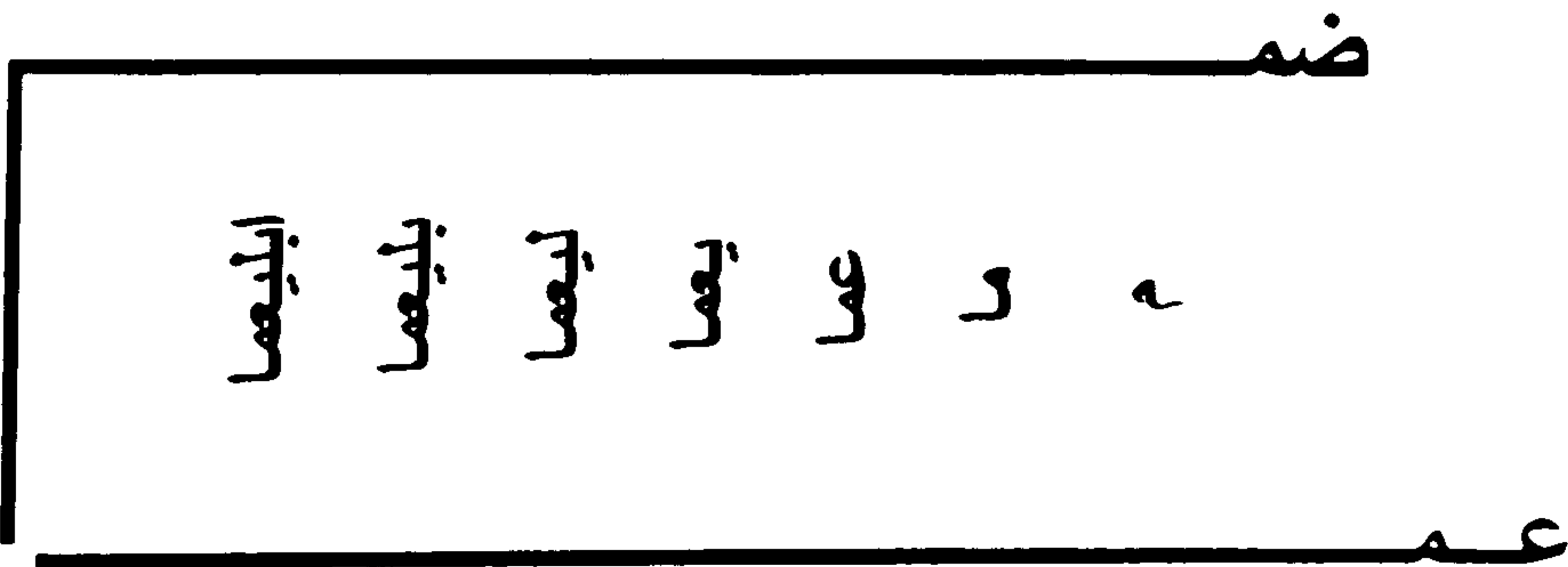
(١٢) من (ص) .

(فائدة أخرى :

تلقيتها عن الشيخ إبراهيم الحاوي [رحمه الله تعالى] ^(١) ، وهي رقية إذا رقى بها أحد سبع مرات فلا يبالي بلدغ الأفاعي ، ولو لدغه أعظم ثعبان في الأرض لا يبالي به ولا يسري فيه شيء ، حتى ولو دس عليه السم من أحد وأكل طعاماً مسموماً لا يضره بإذن الله تعالى ، وهي هذه : أصفا ضمير أغثك اضطروا أغثك حاشا بيد ور أغثك صبري كورا صاورحي أغثك صب سرکسي أغثك صر يغنسي أغثك صرب أكوبي أغثك سرب كدا بيدى أغثك مرقمان أغثك نون صاد ينين أغثك أردهريرو رسون وأوف هربندار أغثك شرش كغ مشتحدیس أغثك سريور أغثك شرش كلح أبیداران أغثك کيس كوره وزاوصه وزكار كارهرمان مرتسينه داران اضطروا) ^(٢) .

[فائدة أخرى :

وهي هذه : إذا كتبت بهذا الشكل في أربع حيطان الدار ، ثم تكتب بجانب الشكل : شربت مكررت حتى تصل بها إلى الشكل الآخر في أربع حيطان الدار فكل عقرب كانت في تلك الدار لا تضر أحداً وإذا مرت في الدار فلا ترفع زبانها ايذاءً ، وهذا صفة الشكل :



(١) من (ص) ولم أعرف الشيخ إبراهيم الحاوي ، ولم أعثر له على ترجمة ، ولعله من شيوخ المصنف المغمورين .

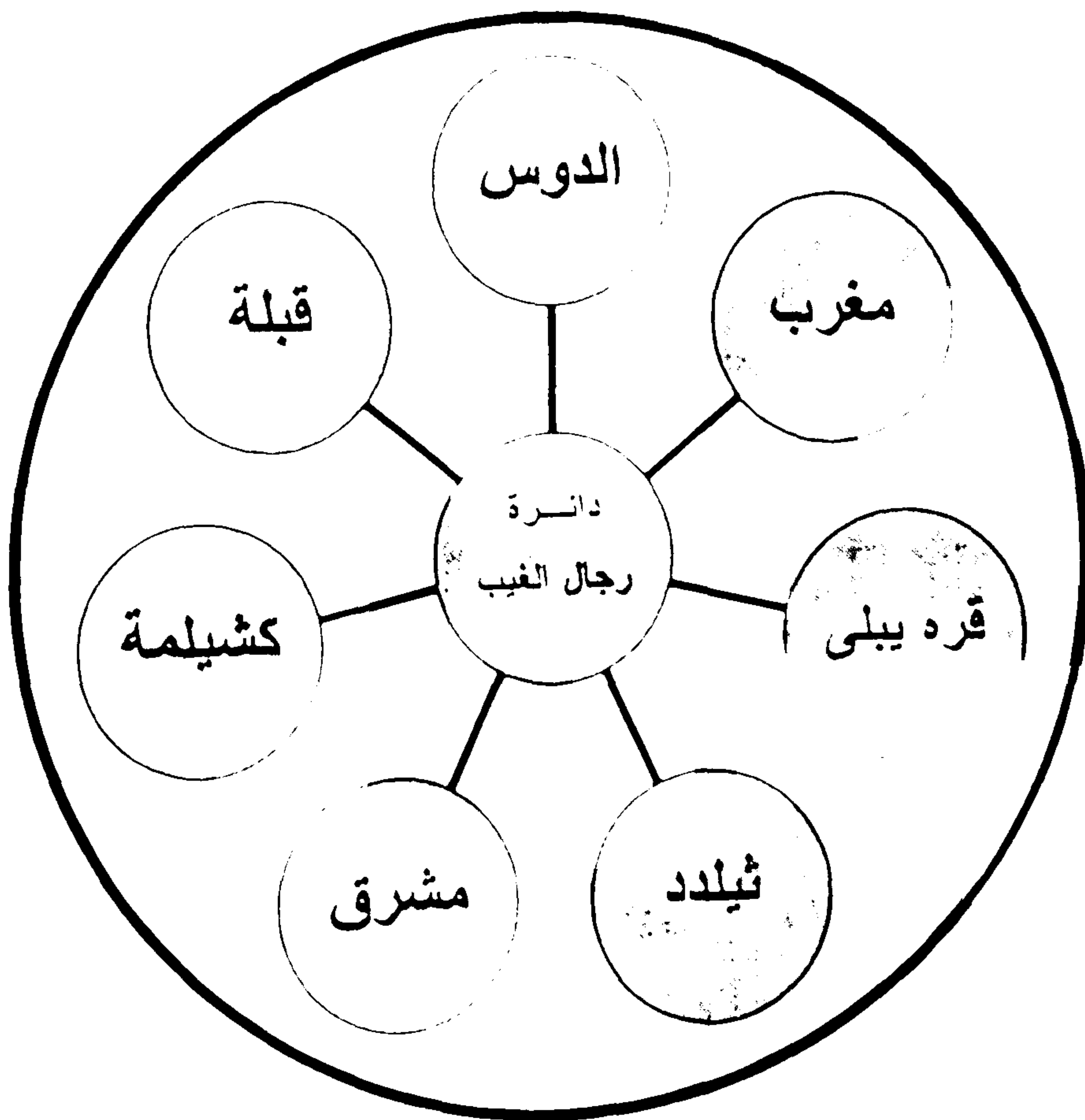
(٢) ما ساقه المصنف من التعاويذ ، وهي إذا كانت بنص الكتاب والسنة فلا بأس منها ، أما هذه الألفاظ التي لا تعرف ، فتحرم ، فلعلها أن تكون من الشرك ، وما يب

فائدة أخرى :

وهو وفق مربع عددي وهو أربعين في أربعين إذا علق على شخص كبيراً أو صغيراً فلا يطرح بجذري ولا حصباً وإذا بدأ الجذري اطلع وعلق عليه الومق فلا يضع غير نذي صنع وبدأ فقط .

٨	١٣	١٨	١
١٦	٣	٤	١٥
٢	١٩	١٢	٧
١٤	٥	٤	١٧

أن تسأل الله حاجة وتوسلت إليه برجال الغيب ساعدوك في السؤال فلا يردكم الله تعالى خائبين . واعلم أنهم في كل يوم من الشهر في جمعة من الجمعات . فانظر أي يوم من الشهر في جمعة من الجمعات واستقبله بوجهك ، وادع بدعوتهم فيستجاب لك . وعدد دائرة رجال الغيب كما سترى [(١)] :



(١) من (ص) وكتب في نهايتها : مكت أبو محمد الصديقي الورائي البكري

تم ذلك بحمد الله وعونه وحسن توفيقه وهدايته ، ولا حول ولا قوة إلا بالله
العلي العظيم ، وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم ، على يد
العبد الفقير إلى مولاه القدير أحمد بن الشيخ محمد أبي خير المرحومي ^(١) ، غفر
الله له ولوالديه ، ولمن دعا له بالمغفرة والرحمة والمسلمين أجمعين ، آمين ، سنة
١١٠٤ هـ .

(١) هو الناسخ ، ولم أعثر له على ترجمة .

الفهارس العلمية

- أولاً : فهرس الآيات .
- ثانياً : فهرس الأحاديث والآثار .
- ثالثاً : فهرس الأعـلام .
- رابعاً : فهرس الأشـعار .
- خامساً : فهرس المـراجع .
- سادساً : فهرس المـوضوعات .

أولاً : فهرس الآيات

م	الآية	رقمها / السورة	الصفحة
١	اعْمَلُوا آلَ دَاوُدَ شُكْرًا	١٣ / سبأ	٢٦
٢	أَفَحَسِبْتُمْ أَنَّمَا خَلَقْنَاكُمْ عَبَثًا وَأَنَّكُمْ إِلَيْنَا لَا	١١٥ / المؤمنون	١٦١
٣	أَلَمْ تَرَ إِلَى الَّذِينَ قِيلَ لَهُمْ كُفُّوا أَيْدِيَكُمْ وَأَقِيمُوا	٧٧ / النساء	١٦٠
٤	أَلَمْ تَرَ إِلَى الْمَلَا مِنْ بَنِي إِسْرَائِيلَ	٢٤٦ / البقرة	١٥٩
٥	إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ	٥١ / المائدة	٧١
٦	إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ	٩٠ / النحل	٣١ ، ٢١ ٩٣ ، ٦٢
٧	إِنَّ فِي ذَلِكَ لَآيَةً لِّقَوْمٍ يَعْقِلُونَ	٦٧ / النحل	٩
٨	إِنَّ فِي ذَلِكَ لَذِكْرَى لِمَنْ كَانَ لَهُ قَلْبٌ أَوْ أَلْقَى	٣٧ / ق	١٩
٩	إِنَّمَا يَتَذَكَّرُ أُولُوا الْأَلْبَابِ	١٩ / الرعد	٩
١٠	تُؤْتِي الْمَلِكَ مِنْ تَشَاءُ	٢٦ / آل عمران	١٤٨
١١	تَرَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا	٨٠ / المائدة	٦٨
١٢	تِلْكَ الدَّارُ الْآخِرَةُ نَجْعَلُهَا لِلَّذِينَ لَا يُرِيدُونَ	٨٣ / القصص	١٤٦
١٣	حَتَّى إِذَا بَلَغَ أَشُدَّهُ وَبَلَغَ أَرْبَعِينَ سَنَةً	١٥ / الأحقاف	١١
١٤	صَمٌّ بَكُمْ غَمِّي فَهُمْ لَا	١٨ / البقرة	١٦٠
١٥	فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ	٦٥ / النساء	١١١
١٦	فَلَا يُسْرِفَ فِي الْقَتْلِ إِنَّهُ كَانَ مَنْصُورًا	٣٣ / الإسراء	٥٠
١٧	فَلَمَّا نَسُوا مَا ذُكِّرُوا بِهِ أَنْجَيْنَا الَّذِينَ يَنْهَوْنَ	١٦٥ / الأعراف	٧٠

م	الآية	رقمها / السورة	الصفحة
١٨	فَلَوْلَا كَانَ مِنَ الْقُرُونِ مِنْ قَبْلِكُمْ أُولُو بَقِيَّةٍ	١١٦ / هود	٧٣
١٩	فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ	٦٣ / النور	٧٦ ، ٨٠ ، ١١١
٢٠	فَمَنْ بَدَّلَهُ بَعْدَ مَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ	١٨١ / البقرة	٧٦
٢١	فَوَرَبِّكَ لَنَسْأَلَنَّهُمْ أَجْمَعِينَ عَمَّا كَانُوا يَعْمَلُونَ	٩٢ ، ٩٣ / الحجر	٩١
٢٢	قَانِمًا بِالْقِسْطِ	١٨ / آل عمران	٣٢
٢٣	قَدْ جَاءَكُمْ بَيِّنَةٌ مِنْ رَبِّكُمْ فَاقُوفُوا الْكَيْلَ	٨٥ / الأعراف	١٢٥
٢٤	كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ فَعَلُوهُ	٧٩ / المائدة	٦٨
٢٥	لَنْ شُكِرْتُمْ أَزِيدَنَّكُمْ وَلَنْ كُفِرْتُمْ إِنْ عَذَابِي	٧ / إبراهيم	٢٥
٢٦	لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ	٢٢ / المجادلة	٧٤
٢٧	لَا تَجْعَلُوا دُعَاءَ الرَّسُولِ بَيْنَكُمْ كَدُعَاءِ بَعْضِكُمْ	٦٣ / النور	١١١
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٢	في الزاهين الأولين	من القرون لنا بصائر ١٧
٣	قد يدرك المتأني بعض حاجته	وقد يكون مع المتسجل الزلل ٤١
٤	إذا ملكت فكن بالعدل مفتخراً	واحذر سهام الرعايا في حنوس الظلم ٥٧
٥	أنصب نهراً في طلب العلا	واصبر على فقد لقاء الحبيب ٨٦
٦	إذا خان الأمير وكتابه	وقاضى الأرض داهن في القضاء ١١٣
٧	معاوي يا ذا العلم والفضل والنبل	ويا ذا الندا والجود والرشد والفضل ١٢٦
٨	وليت ويحك أمرا لست تدركه	فاستغفر الله من فعل امرئ راني ١٢٨
٩	لا تعجلن أمير المؤمنين فقد	أدق بذكرك في رفق وإحسان ١٢٨
١٠	هذا وإن كان في فقر وإضرار	أعز عندي من أهلي ومن جار ١٣٠
١١	من ذا الذي قد حاز راحة سره	في عسره إن كان أو في يسره ١٤٢
١٢	عليك بتقوى الله سراً وجهرة	فإنك مسئول وربك عالم ١٤٩
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